

# THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

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## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

##### TREASURY DEPARTMENT; OFFICE OF THE TREASURER OF THE UNITED STATES

Effective upon publication in the FEDERAL REGISTER, paragraph (j) is added to § 6.103 as follows:

§ 6.103 *Treasury Department.* \* \* \*

(j) *Office of the Treasurer of the United States.* (1) One private secretary or confidential secretary to the Treasurer of the United States.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3-CFR 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] C. L. EDWARDS,  
*Executive Director*

[F. R. Doc. 53-2389; Filed, Mar. 17, 1953; 8:46 a. m.]

## TITLE 7—AGRICULTURE

### Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

[E. E. P. Q. 594, Amended]

#### PART 301—DOMESTIC QUARANTINE NOTICES

##### SUBPART—PUERTO RICAN FRUITS AND VEGETABLES

AMENDMENT OF ADMINISTRATIVE INSTRUCTIONS AUTHORIZING ETHYLENE DIBROMIDE FUMIGATION AS A CONDITION FOR CERTIFICATION OF MANGOES UNDER PUERTO RICAN FRUIT AND VEGETABLE QUARANTINE NO. 58

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by §§ 301.58-2 and 301.58-3 of the regulations supplemental to Puerto Rican Fruit and Vegetable Quarantine No. 58 (7 CFR 301.58-2 and 301.58-3), issued under section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), para-

graph (b) (1) of administrative instructions appearing as § 301.58-3d in Title 7, Code of Federal Regulations, effective October 1, 1951, is hereby amended to read as follows:

§ 301.58-3d *Administrative instructions authorizing the movement of mangoes from Puerto Rico after approved fumigation.*

(b) *Approved treatment.* (1) The approved treatment shall consist of fumigation with ethylene dibromide in an atmospheric fumigation vault, which vault and its equipment have been approved for that purpose by the Bureau of Entomology and Plant Quarantine. The dosage shall be applied at the following rates:

6 ounces of ethylene dibromide per 1,000 cubic feet of space for 2 hours at 80° F.

8 ounces of ethylene dibromide per 1,000 cubic feet of space for 2 hours at 70° F.

Cubic feet of space shall include the load. The 2-hour period of exposure shall begin when all of the fumigant has been introduced into the chamber. The required temperatures apply to both air and fruit. The ethylene dibromide must be applied in the liquid state and volatilized within the sealed fumigation chamber by direct contact with a highly heated metal surface over an electric hot plate or other suitable heating medium. The gas shall be circulated within the chamber continuously for the 2-hour period by an electric fan or blower.

(Sec. 8, 37 Stat. 318, as amended, 7 U. S. C. 161)

This amendment shall be effective March 18, 1953.

The purpose of this amendment is to revise the dosage schedules authorized for the fumigation of mangoes as a requirement for certification prior to their interstate movement from Puerto Rico. The present dosage schedule for atmospheric fumigation is prescribed for temperatures 50° F. or above. This amendment involves no essential change in actual fumigation procedures, since temperatures of 80° F. or above normally prevail during the mango harvesting season in Puerto Rico. The 80°

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## CFR SUPPLEMENTS

(For use during 1953)

The following Supplements are now available:

Title 24 (\$0.65)

Title 25 (\$0.40)

Previously announced: Title 3 (\$1.75); Title 9 (\$0.40); Titles 10-13 (\$0.40); Title 17 (\$0.35); Title 18 (\$0.35); Title 49: Parts 71 to 90 (\$0.45)

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dosage schedule in the amended instructions parallels the 50° schedule in the present instructions. The amended instructions will also be consistent with the latest experimental data and with the 70° schedule for ethylene dibromide fumigation in Hawaii of certain fruits and vegetables prescribed in 7 CFR 301.13-4b (B. E. P. Q. 592, effective February 18, 1953; 18 F. R. 947) Accordingly, it is found for good cause that notice and public procedure under the Administrative Procedure Act are unnecessary and contrary to the public interest, and good cause is found for making the effective date hereof less than 30 days after its publication in the FEDERAL REGISTER.

Done at Washington, D. C., this 5th day of March 1953.

[SEAL] AVERY S. HOYT,  
Chief, Bureau of Entomology  
and Plant Quarantine.

[F. R. Doc. 53-2409; Filed, Mar. 17, 1953; 8:51 a. m.]

## TITLE 15—COMMERCE AND FOREIGN TRADE

### Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

#### Subchapter C—Office of International Trade

[6th Gen. Rev. of Export Regs., Amdt. 37]

#### PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

#### HOW TO FILE AN APPLICATION FOR EXPORT LICENSE

Section 372.3 *How to file an application for export license*, paragraph (d) *Data supplementing the license application* is amended in the following particulars:

1. Subdivision (iii) of subparagraph (2) *Statement from ultimate consignee* is amended to read as follows:

(iii) A description of the export transaction sufficient to identify it as the same transaction described in the application. This requires listing the following:

(a) Name and address of the consignee and purchaser (Item 1 of Form IT-842)

(b) Name and address of the U. S. exporter (Item 4 of Form IT-842)

(c) Commodities and quantities ordered from the U. S. exporter (Item 5 of Form IT-842)

2. The second unnumbered subdivision of subparagraph (3) *Multiple transaction statement from ultimate consignee* and footnotes thereto are amended to read as follows:



Exporters who have a continuing and regular relationship with an ultimate consignee (including but not limited to applicants having foreign branches or subsidiaries or distributors under franchise with the applicant) involving recurring orders for the same commodities to the same destinations and for the same end uses, may submit to the Office of International Trade the original or a copy of a Multiple Transactions Statement, executed on Form IT-843<sup>1</sup> and signed by a responsible official of the ultimate consignee. This statement shall cover all proposed exportations of such commodities for which applications for export licenses will be submitted to the Office of International Trade during all or any part of the period ending not later than June 30 of the year following the year during which the statement is executed. For example, a statement executed on July 23, 1953, may cover proposed exportations for which license applications are filed on or before June 30, 1954, and a statement executed on January 4, 1954, may cover exportations for which license applications are submitted on or before June 30, 1955.

If this procedure is used, the exporter shall submit an additional copy of the Multiple Transactions Statement for each OIT processing code to which the statement applies. When submitting such statements, the exporter must attach a list of the processing codes to which the statement applies.

This amendment shall become effective as of March 16, 1953.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 50 U. S. C. App. Supp. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,  
Director,  
Office of International Trade.

[F. R. Doc. 53-2390; Filed, Mar. 17, 1953;  
8:46 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

### Chapter I—Bureau of Land Management, Department of the Interior

#### Appendix—Public Land Orders

[Public Land Order 885]

#### NEVADA

#### MODIFYING PUBLIC LAND ORDER NO. 338 OF JANUARY 7, 1947

By virtue of the authority vested in the President, and pursuant to Execu-

<sup>1</sup> Forms IT-842 and IT-843 may be obtained at all Department of Commerce Field Offices and from the Office of International Trade, Department of Commerce, Washington 25, D. C. Foreign importers may obtain copies of Forms IT-842 and IT-843 from their United States exporters or from any United States Diplomatic and Consular Office abroad.

<sup>2</sup> Each copy submitted but not manually signed by the consignee or purchaser must be certified to be a true copy of the original, as provided in § 372.9.

tive Order No. 10355 of May 26, 1952 (17 F. R. 4831) it is ordered as follows:

Public Land Order No. 338 of January 7, 1947, reserving the following-described public land in Nevada for the use of the Bureau of Land Management, Department of the Interior, as an administrative site, is hereby modified to the extent necessary to permit a grant of a highway right-of-way under section 2477 of the Revised Statutes (43 U. S. C. 932) to be-

come effective as to a strip 40 feet wide along the south boundary of the tract:

MOUNT DIABLO MERIDIAN

T. 21 S., R. 61 E.,  
Sec. 1 SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The area described contains 40 acres.

ORRIS LEWIS,  
Assistant Secretary of the Interior.

[F. R. Doc. 53-2381; Filed, Mar. 17, 1953;  
8:45 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

[7 CFR Ch. IX]

[Docket No. AO-242]

#### MILK IN NORTH CENTRAL TRI-STATE MARKETING AREA

#### NOTICE OF POSTPONEMENT OF HEARING ON PROPOSED MARKETING AGREEMENT AND ORDER REGULATING HANDLING

Notice is hereby given that the hearing on a proposed marketing agreement and order to regulate the handling of milk in the North Central Tri-State marketing area originally scheduled to begin at 10:00 a. m., c. s. t., March 24, 1953 (17 F. R. 10266-10975, 18 F. R. 117) in the Council Chambers, City Hall, Rochester, Minnesota, is hereby indefinitely postponed at the request of the Tri-State Grade A Council.

Interested parties will be given notice of the time and place of such hearing at least 15 days prior to the date set.

Done at Washington, D. C., this 13th day of March 1953.

[SEAL] ROY W. LEHNARTSON,  
Assistant Administrator.

[F. R. Doc. 53-2410; Filed, Mar. 17, 1953;  
8:51 a. m.]

### CIVIL AERONAUTICS BOARD

[14 CFR Part 221]

[Economic Regs. Draft Release No. 59]

#### CONSTRUCTION, PUBLICATION, FILING AND POSTING OF TARIFFS OF AIR CARRIERS AND OF FOREIGN AIR CARRIERS

#### NOTICE OF PROPOSED RULE MAKING

MARCH 11, 1953.

Notice is hereby given that the Civil Aeronautics Board has under consideration the proposed revision of the material now contained in Parts 221 and 222 of the Economic Regulations (14 CFR 221, 222) and its consolidation in a new Part 221. The principal features of the proposed new Part 221 are explained in the explanatory statement set forth below.

The proposed new Part 221 is set forth in the proposed rule below.

Interested persons may participate in the proposed rule making through the submission of written data, views or

arguments pertaining thereto, in triplicate, addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All relevant material in communications received on or before April 30, 1953, will be considered by the Board before taking final action on the proposed rule. Copies of comments received will be available for inspection on and after May 4, 1953, at the Docket Section of the Board.

The proposals herein contained may be altered or modified as a result of comment received.

(Sec. 205 (a), 52 Stat. 934; 49 U. S. C. 425. Interpret or apply sec. 403, 52 Stat. 932; 49 U. S. C. 433)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

*Explanatory statement.* At the present time the rules relating to the construction, publication, filing and posting of tariffs of air carriers and of foreign air carriers are contained in two parts of the economic regulations. These parts cover certain detailed rules as to the subject matter covered, but they are by no means complete, and frequently are completely lacking in necessary detail.

The purpose of the revision hereby circulated for the comment of interested persons is to provide a comprehensive regulation which will cover all problems occurring from time to time in handling tariffs. Except as hereinafter noted, all practices and methods provided for in the new draft are now covered in broad terms in the present regulation, or are followed in actual practice by the great majority of carriers.

While in the main, the attached proposed revision is a restatement and detailed codification of current tariff practice and regulation, it will change the existing regulatory framework in the following respects, among others:

1. Regulations now in effect provide no method for a carrier to effect transfer of authority to publishing agents when this course becomes necessary by the death or other inability of the publishing agent to continue in such capacity. Nor is any method provided for the new agent to continue publication of such a former agent's tariffs, leaving the new agent no alternative, than to issue immediately and at considerable expense a new tariff. While deviation from these onerous requirements has at times been permitted in the past under waiver of



tariff regulations, that practice was at best a lengthy and time consuming one, which might better be handled in the basic regulations. Accordingly provision has been made for this eventuality in the attached revision.

2. Similarly, the present regulations provide no method whereby a carrier who has succeeded to the operating authority of a former carrier may adopt the tariffs of the former carrier. The issuance of the complete new set of tariff publications before the assumption of operations by the new carrier frequently involves considerable expense. Provision has been made in the new regulation to meet this contingency.

3. In the event that a fare, rate, rule, etc., has been suspended by the Board, the current practice under present regulations is for the carrier to determine from the Board how to inform the public of that fact by proper tariff publication. The instant revision conforms to past Board policies in this regard, and establishes detailed procedures to be followed.

4. There is no requirement at the present time for carriers to file an index to their tariffs. With the increase in the number of tariffs filed by carriers, the Board is of the opinion that a tariff index is vital to assure that there is no duplication or conflict in fares or rates, and in order to readily ascertain the applicable fares and rates which are in effect. Accordingly, the new proposal provides that a tariff index (in the form of a tariff) must be filed by a carrier if it has ten (10) or more effective tariffs, or is a participant in three (3) or more effective tariffs published by others.

5. The revision requires all tariffs to be filed upon thirty (30) days' notice, regardless of the changes therein, unless special tariff permission has been received authorizing a lesser period of notice. Experience has shown this rule to be necessary. Frequently in the past, tariff publications on less than thirty (30) days' notice have been issued purporting to reproduce only matter which was theretofore in effect. Upon examination, however, changes have been found to have been made in the material and the required statutory notice thus ignored. This necessitates revision of the tariff publication subsequent to the effective date shown thereon, and after users of the tariff may have destroyed the former issue which contains the lawful fare or charge.

6. The new regulation will require that pages of the loose-leaf tariffs be printed on one side only. The reason for this requirement is much the same as in the case of the 30-day rule referred to above in paragraph 5. In the past, whenever a change was to be made on one side of a loose-leaf tariff page, the other side was reprinted. All too frequently the reprinted sides have contained changes from their earlier version although carrying an indicated effective date earlier than the date of publication. Such unlawful publication will not result if matter is printed on one side of the page only.

7. The present tariff regulations contain certain rather inflexible require-

ments regarding indication of changes, even though all changes on a page may be of the same character. This requirement has been revised to permit a simpler method of indicating such changes and will enable some saving in tariff publication expense.

8. The revision requires carriers to advise the Board of all changes proposed in their new filing and the reasons therefor. Generally, the reasons for many proposed changes are apparent. In other instances, however, consideration of the proposal by the Board's staff must now be deferred awaiting information from the carrier regarding the changes. This procedure often leaves little time in which presentation can be made to the Board with recommendation of appropriate action to be taken concerning the proposal.

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SUBPART A—GENERAL

§ 221.1 *Applicability of this part.* All tariffs and amendments to tariffs of air carriers and foreign air carriers filed with the Board pursuant to section 403 of the act shall be constructed, published, filed, posted and kept open for public inspection in accordance with the sections in this part.

§ 221.2 *Board may direct reissue of publications.* The Board may direct the reissue of any tariff publication, concurrence, or power of attorney at any time.

§ 221.3 *Carrier's duty.*—(a) *Must file tariffs.* Every air carrier and every foreign air carrier shall file with the Board, and print, and keep open to public inspection, tariffs showing all rates, fares, and charges for air transportation between points served by it, and between points served by it and points served by any other air carrier or foreign air carrier, when through service and through rates shall have been established, and showing to the extent required by regulations of the Board, all classifications, rules, regulations, practices, and services in connection with such air transportation. Tariffs shall be filed, posted, and published in such form and manner, and shall contain such information as the Board shall by regulation prescribe. Any tariff so filed which is not consistent with section 403 of the act and such regulations shall be rejected. Any tariff so rejected shall be void.

(b) *Must observe tariffs.* No air carrier or foreign air carrier shall charge or demand or collect or receive a greater or less or different compensation for air transportation or for any service in connection therewith, than the rates, fares, and charges specified in its currently effective tariffs; and no air carrier or for-

eign air carrier shall, in any manner or by any device, directly or indirectly, or through any agent or broker, or otherwise, refund or remit any portion of the rates, fares, or charges so specified, or extend to any person any privileges or facilities, with respect to matters required by the Board to be specified in such tariffs, except those specified in such tariffs.

(c) *No relief from violations.* Nothing contained in this part shall be construed as relieving any air carrier or foreign air carrier from liability for violations of the act, nor shall the filing of a tariff, or amendment thereto, relieve any air carrier or foreign air carrier from such violations or from violations of regulations issued under the act.

§ 221.4 *Definitions.* As used in this part, terms shall be defined as follows:

(a) "Act" means the Civil Aeronautics Act of 1938, as amended.

(b) "Board" means the Civil Aeronautics Board.

(c) "Book tariff" means a tariff consisting of pages bound together in book form which conforms with the specifications applicable only to book tariffs as set forth in § 221.23.

(d) "Carrier" means an air carrier or foreign air carrier subject to section 403 of the act.

(e) "Class rate" means a rate which is published for a numbered class and which applies on any one or more of various articles or commodities assigned to such numbered class by a classification or by exceptions to the classification.

(f) "Fare" means the amount per passenger stated in the applicable tariff for the transportation of a person and his baggage and includes "charge" unless the context otherwise requires.

(g) "Fare tariff" means a tariff containing the statement of fares and charges (required by § 221.40) for the air transportation of persons.

(h) "General commodity rate" means a rate which is published to apply on all articles or commodities except those which will not be accepted for transportation under the terms of the tariff containing such rate or of governing tariffs.

(i) "General effective date" means the effective date shown on the title page of a tariff as required by § 221.31 (a) (1) the effective date shown on title page of a supplement as required by § 221.112 (b) (8) and the effective date shown on an original or revised page as required by § 221.22 (b) (6).

(j) "Item" means a small subdivision of a tariff designated as an item and identified by an item number for the purpose of facilitating reference and amendment.

(k) "Joint fare or rate" means a fare or rate that applies to transportation over the joint lines or routes of two or more carriers and which is made and published by arrangement or agreement between such carriers evidenced by concurrence or power of attorney.

(l) "Joint tariff" means a tariff that contains joint fares or rates.

(m) "Local fare or rate" means a fare or rate that applies to transportation



over the lines or routes of one carrier only.

(n) "Local tariff" means a tariff that contains local fares or rates.

(o) "Loose-leaf tariff" means a tariff consisting of loose-leaf pages and conforming with the specifications applicable to loose-leaf tariffs as set forth in § 221.22.

(p) "Original tariff" as applied to a loose-leaf tariff, refers to the tariff as it was originally filed exclusive of any supplements, revised pages, or original pages. "Original tariff" as applied to a book tariff, refers to the tariff as it was originally filed exclusive of any supplements.

(q) "Passenger tariff" means a tariff containing fares, charges, or governing provisions applicable to the air transportation of persons and their baggage.

(r) "Property tariff" means a tariff containing rates, charges, or governing provisions applicable to the air transportation of property (other than baggage accompanied or checked by passengers).

(s) "Proportional rate or fare" means a rate or fare which is restricted to apply only on traffic which:

(1) Originates at a point beyond the point from which such rate or fare applies, or

(2) Is destined to a point beyond the point to which such rate or fare applies, or

(3) Both originates at a beyond point specified in subparagraph (1) of this paragraph and is destined to a beyond point specified in subparagraph (2) of this paragraph.

(t) "Proportional tariff" means a tariff which contains proportional rates or fares.

(u) "Rates" means the amount per unit stated in the applicable tariff for the transportation of property (including the amount for chartering a plane) and includes "charge" unless the context otherwise requires.

(v) "Rate tariff" means a tariff containing rates and charges for the air transportation of property, other than baggage accompanying or checked by passengers.

(w) "Specific commodity rate" means a rate which is published to apply only on a specific commodity or commodities which are specifically named or described in the item naming such rate or in an item specifically referred to by such rate in the manner prescribed by § 221.75.

(x) "Tariff publication" means a tariff, a supplement to a tariff, or an original or revised page of a loose-leaf tariff, and includes an index of tariffs (Subpart I) and an adoption notice (§ 221.220).

(y) "Through rate" means the total rate from point of origin to destination. It may be a local rate, a joint rate, or combination of separately established rates.

(z) "Through fare" means the total fare from point of origin to destination. It may be a local fare, a joint fare, or combination of separately established fares.

(aa) "United States" means the United States of America including its territories and possessions.

#### SUBPART B—WHO IS AUTHORIZED TO ISSUE AND FILE TARIFFS

§ 221.10 *Carrier*—(a) *Local or joint tariffs*. A carrier may issue and file, in its own name, tariff publications which contain local rates or fares of that carrier only (and provisions governing such rates or fares) and/or joint rates or fares (and provisions governing such rates or fares) which apply jointly via such issuing carrier in connection with other carriers participating in the tariff publications under authority of their concurrences given to the issuing carrier as provided in § 221.200. A carrier shall not issue and file tariff publications containing local rates or fares of other carriers, joint rates or fares in which the issuing carrier does not participate, or provisions governing such local or joint rates or fares.

(b) *Issuing officer*. An officer of the issuing carrier shall be shown as the issuing officer of a tariff publication issued by a carrier (see §§ 221.22 (b) (7) 221.31 (a) (12) and 221.112 (b) (9) for location of officer's name on tariff publications) and such issuing officer shall file the tariff publication with the Board on behalf of the issuing carrier and all carriers participating in the tariff publication.

§ 221.11 *Agent*. An agent may issue and file, in his own name, tariff publications naming local rates or fares and/or joint rates or fares, and provisions governing such rates or fares, for account of carriers participating in such tariff publications under authority of their powers of attorney given to such issuing agent as provided in § 221.210. The issuing agent shall file such tariff publications with the Board on behalf of all carriers participating therein. Only one issuing agent may act in issuing and filing each such tariff publication.

#### SUBPART C—FORM AND OTHER SPECIFICATIONS OF TARIFF PUBLICATIONS

§ 221.20 *Book or loose-leaf form*. Tariffs shall be prepared either in the form of book tariffs or in the form of loose-leaf tariffs. Supplements shall be prepared in book form in accordance with the specifications applicable to book tariffs.

§ 221.21 *Specifications applicable to all tariff publications*—(a) *Paper and size*. Tariff publications shall be prepared on white paper of good quality and strong texture 8½ inches wide by 11 inches long.

(b) *Printing or other durable process; legible copies*. Tariff publications shall be plainly and legibly printed, planographed, mimeographed, stereotyped, or prepared by other similar durable process. Typewritten copies, carbon copies, proof sheets, or copies reproduced by hectograph (or similar process where the printed matter is subject to fading) shall not be used for filing or posting. Copies of tariff publications posted and filed shall be clear and legible in all respects.

(c) *Size of type*. The size of type shall not be less than 8-point bold or full face type except:

(1) As provided in § 221.31 (a) (1), (C. A. B. number)

(2) Not less than 6-point bold or full face type may be used for explanations of reference marks (when such explanations appear on the page where the reference marks are used), for the cross reference required by § 221.37 (a), the statement with other countries required by § 221.24, and for column headings.

(d) *Margin*. A clear margin of not less than one inch without any printing shall be allowed on each page at the vertical binding edge of each tariff or supplement (including all revised or original pages of a loose-leaf tariff, notwithstanding that such pages shall contain no binding).

(e) *Alterations prohibited*. Alteration by writing, erasure, rubber stamps, or otherwise shall not be made in tariff publications.

(f) *Tables to be ruled and spaced*. When fares, rates, charges, and numbers or letters (used for rate bases or similar purposes) are shown in tables, each column in the table shall be ruled from top to bottom. When not more than three figures (digits) or letters, including reference marks, are employed to express each rate, fare, charge, rate base, etc., the column shall be not less than one-fourth of an inch in width with a proportionately greater width when more than three figures or letters, including reference marks, are so employed. Tables shall not contain more than six horizontal lines of printed matter without a horizontal break in the printed matter either by a ruled line or by at least one blank space across the page.

(g) *Items and similar units to be in numerical order*. All items in a tariff publication shall be arranged in numerical order by item numbers (with the lowest item number appearing first and the highest item number appearing last in the tariff). Each item shall bear a separate item number and the same number shall not be assigned to more than one item in the tariff. A gap between item numbers may be allowed for the addition of future items, for example, the items in an original tariff may be numbered Items Nos. 5, 10, 15, etc. The requirements of this paragraph are also applicable to units similar to items (see § 221.38 (b) for numbering rules).

(h) *Item, rule, or similar unit continued to next page*. Where an item, rule, or similar unit is commenced on one page and is continued on the following page, the notation "(continued on next page)" shall be shown at the bottom of the portion of the item, rule, or unit on the page from which it is continued, and the following page to which it is continued shall show the number of the item, rule, or similar unit followed by "(continued)".

(i) *Tariff shall apply to persons or property (not both)*. Rates and charges applicable to the transportation of property or provisions governing such rates or charges shall not be published in the same tariff with fares or charges applicable to the transportation of persons or provisions governing such fares or charges, except:



(1) A tariff which is applicable to charter service only (whereby a charterer receives exclusive use of an entire aircraft) may be made applicable to both persons and property.

(2) A tariff applicable to passengers may include provisions applicable to passengers' baggage.

(j) *Carrier's name.* Wherever the name of a carrier appears in a tariff publication, such name shall be shown in full exactly as it appears in the carrier's certificate of public convenience and necessity, foreign air carrier permit, letter of registration, or whatever other form of operating authority of the Board to engage in air transportation is held by the carrier. Except as provided in § 221.37 (d) a carrier's name may be abbreviated, provided the abbreviation is explained in the tariff.

(k) *Agent's name and title.* Whenever the name of an agent appears in tariff publications, such name shall be shown in full exactly as it appears in the powers of attorney given to such agent by the participating carriers and the title "Agent" or "Alternate Agent" (as the case may be) shall be shown immediately in connection with the name.

§ 221.22 *Specifications applicable only to loose-leaf tariff publications—(a) No binding.* Pages of a loose-leaf tariff shall not be bound together by staples, wire, or other form of book binding.

(b) *Information required on all interior pages.* Each original page and revised page following the title page of a loose-leaf tariff shall contain the following information in the location specified:

(1) At the top of the page, on the left side, the name of the issuing carrier or issuing agent,

(2) In the upper left corner, immediately below the name of the issuing carrier or agent, the title of the tariff,

(3) In the upper right corner, the C. A. B. number of the tariff,

(4) Immediately below the C. A. B. number, the original page number or the revised page number, as the case may be, and, if a revised page, the cancellation of preceding issues of that page (see paragraph (c) of this section and § 221.111)

(5) In the lower left corner, the issued date of the page,

(6) In the lower right corner, the effective date on which the fares, rates, charges, rules, and other provisions will become effective (see § 221.160)

(7) Centered at the bottom of the page the name, title, and address of the issuing officer or the issuing agent.

(c) *Numbering pages.* The title page of an original loose-leaf tariff shall bear no page number but shall show the designation "Original Title Page" in the upper right corner of the page, a few spaces below the C. A. B. number and any tariff cancellation thereunder. The pages following the title page of an original loose-leaf tariff shall be designated as "Original Page 1" "Original Page 2" etc. (to be shown immediately below the C. A. B. number in the upper right corner of the page) and shall be consecutively numbered in one series of page numbers throughout the entire

tariff, commencing with "Original Page 1" (see § 221.111 for numbering original and revised pages issued to the tariff after the original filing of the tariff with the Board)

(d) *Only one face of each sheet to be used.* Tariff matter shall be published only on one face of each sheet in a loose-leaf tariff. Each sheet shall contain only one loose-leaf page and the reverse side of each page shall be entirely blank.

§ 221.23 *Specifications applicable only to book tariffs and supplements—(a) Binding.* The pages of a book tariff or supplement shall be bound together in book form at the left binding edge of the tariff or supplement. The binding shall be staples, wire or other permanent book binding.

(b) *Numbering pages.* The title page of a book tariff or supplement shall bear no page number. The pages following the title page of each book tariff or supplement shall be consecutively numbered as 1, 2, 3, 4, etc. (to be shown centered at the bottom of the page) and shall be consecutively numbered in only one series of page numbers throughout the entire tariff or supplement.

(c) *Information which is not to be shown on interior pages.* The pages following the title page of a book tariff or supplement shall not contain any of the information specified in § 221.22 (b) except that, if desired, the name of the issuing carrier or agent, the number of the supplement, and the title of the tariff may be shown at the top of each interior page.

§ 221.24 *Statement of filing with foreign governments to be shown in air carriers' tariff publications.* Every tariff publication issued by or on behalf of an air carrier which contains rates, fares, rules, or other tariff provisions which by treaty, convention, or agreement entered into between any foreign country and the United States are required to be filed with that foreign country, shall include a statement substantially as follows:

The rates, fares, charges, classifications, rules, regulations, practices, and services provided herein have been filed in each country in which filing is required by treaty, convention, or agreement entered into between that country and the United States, in accordance with the provisions of the applicable treaty, convention, or agreement.

#### SUBPART D—CONTENTS OF TARIFF

§ 221.30 *Arrangement and nature of contents.* (a) Except as otherwise provided in this part, tariffs shall contain only the contents prescribed by §§ 221.31 to 221.41, inclusive, which shall be arranged in each tariff in the following order:

- (1) Title page (§ 221.31)
- (2) Correction number check sheet (loose-leaf tariff only) (§ 221.32).
- (3) Table of contents (§ 221.33).
- (4) List of participating carriers (§ 221.34)
- (5) Index of commodities (property tariff only) (§ 221.35)
- (6) Index of points (§ 221.36).
- (7) Explanations of abbreviations, symbols, and reference marks (§ 221.37).
- (8) Rules and regulations (§ 221.38).

(9) Classification ratings or exceptions ratings (property tariff only) (§ 221.39).

(10) Statement of fares or rates for air transportation (§ 221.40).

(11) Routing (§ 221.41).

§ 221.31 *Title page—(a) Contents.* Except as otherwise provided in this part, the title page of every tariff shall contain the following information to be shown in the order named in subparagraphs 1 to 12 of this paragraph and shall contain no other matter:

(1) *C. A. B. number.* In the upper right hand corner of the title page, the C. A. B. number of the tariff shall be shown in not less than 12-point bold face type. Except as provided in § 221.214 (c), tariffs shall bear consecutive C. A. B. numbers in the series of the issuing carrier or the issuing agent. Each carrier and each agent shall issue and file tariffs consecutively in its own individual series of C. A. B. numbers, commencing with C. A. B. No. 1, and shall use only one series of C. A. B. numbers for all of the tariffs which it issues. Passenger tariffs and property tariffs shall be consecutively numbered in the same series of C. A. B. numbers and a separate series shall not be used for each type of tariff. C. A. B. numbers shall not bear prefixes or suffixes.

(2) *Tariff cancellation.* In the upper right hand corner of the title page, immediately below the C. A. B. number, the cancellation of tariffs to be superseded shall be shown in the manner prescribed by § 221.113.

(3) *Issuing carrier or agent.* The name of the issuing carrier or the name and title of the issuing agent shall be shown in the upper central portion of the title page.

(4) *Title of tariff.* The title of the tariff, including the issuing carrier's or issuing agent's tariff serial number, if any, shall be shown in the upper central portion of the title page, below the name of the issuing carrier or agent. The title should be descriptive of the type of tariff, for example, Mileage Guide No. 1.

(5) *Description of rates, fares, or other contents of tariff.* In the central portion of the title page, below the title of the tariff, there shall be shown a statement indicating the kinds or types of rates or fares contained in the tariff or, if the tariff is a governing tariff such as a rules tariff, classification, or mileage guide, a brief description of the tariff's contents shall be shown. Such statement in a fare or rate tariff shall specify—

(i) Whether the tariff contains local fares or rates, joint fares or rates, or local and joint fares or rates,

(ii) If a fare tariff, that the tariff applies on passengers,

(iii) If a rate tariff, whether the tariff contains class, specific commodity, or general commodity, rates, or any combination thereof,

(iv) If a fare tariff, whether the tariff contains normal, first class, coach, excursion, or other types of fares, or any combination thereof.

(6) *Description of territory.* The title page shall contain a brief but reasonably comprehensive description of the territory within which the rates or fares in



the tariff apply. The territory shall be described by the names of cities, states, countries, or other definite geographical designations.

(7) *Reference to governing tariffs.* If a tariff is governed by other tariffs as authorized in this part, such as rules tariffs, mileage guides, and classifications, the title page shall show reference to such governing tariffs (by title, C. A. B. number, and issuing carrier or agent thereof) in substantially the following form:

This tariff is governed, except as otherwise provided herein, by \_\_\_\_\_ (show tariff title), C. A. B. No. \_\_\_\_\_, issued by \_\_\_\_\_ (show name of issuing carrier or agent), by \_\_\_\_\_ (show tariff title), C. A. B. No. \_\_\_\_\_, issued by \_\_\_\_\_ (show name of issuing carrier or agent), and by supplements to and successive issues of said publications.

If preferred, reference to governing tariffs may be omitted from the title page and published in the first rule of the tariff, provided that the title page refers to such rule in the following manner:

For reference to governing tariffs, see rule No. \_\_\_\_\_ as amended.

(8) *Reference to Special Tariff Permissions, orders, and regulations.* Where an entire tariff is issued pursuant to a special tariff permission, order, or regulation which requires the tariff to bear a notation referring to such Special Tariff Permission, order, or regulation, such notation shall be shown in the manner required thereby. If only certain tariff provisions, and not the entire tariff, are issued pursuant to permission, order, or regulation, reference to the permission, order, or regulation shall be shown in connection with such tariff provisions and not on the title page.

(9) *Expiration date.* If the entire tariff is to expire with a given date, such expiration date shall be shown in distinctive type on the title page in the following manner:

This tariff expires with \_\_\_\_\_ (show date in full) unless sooner canceled, changed, or extended.

If, however, only a portion of the tariff is to expire with a given date, the expiration date shall not be shown on the title page but shall be shown in connection with the particular item, rule, or other provision which is to expire.

(10) *Issued date.* The date on which the tariff is issued shall be shown in the lower left-hand portion of the title page in the following manner:

Issued: \_\_\_\_\_, 19\_\_\_\_\_  
(Show month, date, and year in full, using no abbreviations)

(11) *Effective date.* The date on which the fares, rates, charges, rules and other provisions in the tariff will become effective shall be shown in the lower right-hand portion of the title page (directly opposite the issued date) in the following manner:

Effective: \_\_\_\_\_, 19\_\_\_\_\_  
(Show month, date, and year in full, using no abbreviations)

See § 221.160 for required notice.

(12) *Issuing officer or agent.* The name, title, and address of the issuing officer or issuing agent shall be shown centered at the bottom of the title page. If the tariff is issued by a carrier, the issuing officer shall not use the titles "Agent" or "Alternate Agent" (See §§ 221.10 and 221.11 stating who may issue tariffs.)

(b) *Specimen title page.* See § 221.238 containing a specimen title page which is shown only for the purpose of illustrating the arrangement of the contents of a title page.

§ 221.32 *Correction number check sheet (loose-leaf tariff)* Original Page 1 (the page following the title page) of each loose-leaf tariff shall contain a check sheet of correction numbers and shall not contain other contents of the tariff. The purpose of the check sheet is to enable the tariff holder to ascertain whether all of the revised or additional original pages have been received. (See § 221.111 (c) relating to correction numbers on revised and related pages.) Such check sheet shall consist of the following explanatory provision followed by columns of consecutive correction numbers arranged in numerical order, commencing with No. 1, which shall be shown in the following manner:

CORRECTION NUMBER CHECK SHEET

Each time revised or additional original pages are received, check marks should be made on this check sheet opposite the correction numbers corresponding to those appearing in the lower right-hand corner of the revised or additional original pages. If pages are received not bearing consecutive correction numbers, the issuing carrier or agent should be requested to furnish the page bearing the correction number for which a page has not been received.

Correction numbers									
1	---	---	---	---	---	---	---	---	---
2	---	---	---	---	---	---	---	---	---
3	---	---	---	---	---	---	---	---	---
4	---	---	---	---	---	---	---	---	---
5	---	---	---	---	---	---	---	---	---

When all correction numbers on a check sheet have been used and additional corrections are to be issued, the check sheet should be revised to continue the series of correction numbers. The correction numbers on a revised check sheet shall commence with the correction number following the last number on the preceding check sheet.

§ 221.33 *Table of contents.* The table of contents shall contain a full and complete statement of the exact locations where information in the tariff will be found. Such statement shall show all subjects in alphabetical order and shall show the page number and the number of the item, rule, or unit where each subject will be found. The general headings of the various parts of the tariff, the subjects of individual rules and regulations, and terms descriptive of the application of the sections or tables of fares, rates or charges shall be included in the subjects of the table of contents. If preferred, a separate index of the rules and regulations may be published immediately following the table of contents, provided the latter makes reference to such index. If a tariff or supplement contains so small a volume of matter that its title page or its interior arrangement

plainly discloses its contents, the table of contents may be omitted.

§ 221.34 *List of participating carriers—(a) One list of carriers arranged alphabetically.* The names of all carriers which participate in a tariff shall be shown in alphabetical order in one list with the power of attorney or concurrence number of each carrier shown opposite its name. If a participating carrier is an individual or partnership doing business under a trade name, the trade name should be shown in its alphabetical sequence in the list of participating carriers followed by the name of the individual or partners in the following manner:

Doe Airlines (John Doe and Earl Doe, doing business as).

(b) *Agent's tariff.* The list of participating carriers in an agent's tariff shall be published in the following manner:

LIST OF PARTICIPATING CARRIERS

This tariff is issued and filed with the Civil Aeronautics Board by \_\_\_\_\_

(Show name and title for and on behalf of the following agent)

\_\_\_\_\_ participating carriers under authority of their powers of attorney filed with the Civil Aeronautics Board:

Participating carrier	Power of attorney No.
(List participating carriers alphabetically and show opposite each carrier the number of its power of attorney given to the issuing agent)	

(c) *Carrier's tariff.* The list of participating carriers in a tariff issued by a carrier shall be published in the following manner:

LIST OF PARTICIPATING CARRIERS

This tariff is issued and filed with the Civil Aeronautics Board by \_\_\_\_\_ (show name of issuing carrier) for and on behalf of itself and the following participating carriers under authority of their concurrences filed with the Civil Aeronautics Board:

Participating carrier	Concurrence No.
(List participating carriers alphabetically and show opposite each carrier the number of its concurrence given to the issuing carrier)	

(d) *Restrictions upon participation.* Restrictions upon the extent to which a carrier participates in the tariff shall not be shown in the list of participating carriers (as amended) but shall be shown elsewhere in the tariff as authorized by this part.

§ 221.35 *Index of commodities (property tariff)—(a) Complete index.* Except as provided in paragraph (d) of this section, each property tariff shall contain a complete, alphabetical index of all commodities or articles for which ratings or specific commodity rates are provided in the tariff. Opposite each commodity or article in the index, reference shall be shown to the number of each item (or similar unit) in which such commodity or article is shown.



(b) *Alphabetical arrangement.* Commodities shall be arranged in the index in alphabetical order according to their nouns, for example, "wrapping paper" shall be shown and indexed as "paper, wrapping." If the noun is not sufficiently explicit, the commodity should also be indexed under the adjective as well as under the noun. All of the entries for the same noun should be grouped together and indexed alphabetically first according to the noun and then according to the adjective appearing after the noun, for example, various kinds of paper would be indexed under "paper" in the following manner:

Commodity:	Item No.
Paper, building-----	120
Paper, printing-----	210
Paper, roofing-----	120
Paper, wrapping-----	240

(c) *Indexing commodity lists.* When a tariff contains specific commodity rates applicable to a list of specific commodities or articles grouped under a generic commodity description heading as authorized by § 221.75, the index of commodities shall show:

(1) Such generic heading or description (indistinctive type) in its proper alphabetical sequence in the index and opposite thereto reference to each item where such generic heading or description is shown including the item which contains the list of commodities under such generic heading;

(2) Each individual commodity or article (named in such list under the generic heading) in its proper alphabetical sequence in the index and opposite thereto reference to each item where such generic heading or description is shown including the item containing the list of commodities under such generic heading.

(d) *When index may be omitted—(1) Alphabetical arrangement.* The index of commodities may be omitted from a tariff or supplement if all specific commodity rates therein are arranged in alphabetical order (by commodities) in only one alphabetical sequence and all classification or exceptions ratings are arranged in alphabetical order (by commodities) in only one alphabetical sequence (the showing of generic headings in alphabetical sequence will not meet this requirement since individual commodities thereunder would not appear in the required alphabetical sequence). If the index of commodities is omitted under authority of this paragraph, an explanation of the alphabetical arrangement shall be published in the place where the index would have been published, for example:

#### INDEX OF COMMODITIES

(Commodities are arranged alphabetically throughout pages ---- through ----)

(2) *Less than five pages of commodity descriptions.* If the commodity descriptions on which rates or ratings are applicable are shown on not more than four pages of a tariff or supplement, the index of commodities may be omitted from such tariff or such supplement.

§ 221.36 *Index of points—(a) Alphabetical index required.* Each tariff shall

contain an alphabetical index of all points of origin named in the tariff and a separate alphabetical index of all points of destination named in the tariff, except that the points of origin and destination may be included in one alphabetical index when all or substantially all of the rates or fares in the tariff apply in both directions between their respective points. The state, territory, possession, or District of Columbia in which each United States point is located shall be shown in connection with each such point. If the tariff applies to or from foreign countries, the respective country shall also be shown in connection with each point named in the index. Opposite each point, reference shall be made to the number of each item (or similar unit) in which the respective point appears. If the point is not published in a numbered item (or similar unit), reference shall be made to the page on which the point appears. If the tariff contains rates or fares for account of more than one carrier, each point in the index shall show the carrier or carriers serving the respective point.

(b) *When entire index may be omitted.* If a tariff contains rates or fares for account of only one carrier, the entire index of points may be omitted provided that:

(1) All points of origin and destination are arranged in continuous alphabetical order throughout the entire tariff, and so explained as provided in paragraph (c) of this section; or,

(2) The fares or rates are published in two or more distinct sections or tables and their points of origin and destination are arranged in continuous alphabetical order through each section or table, and reference to each such section or table is properly shown in the table of contents, and so explained as provided in paragraph (c) of this section.

(c) *Explanation required when index omitted.* When the index of points is omitted as provided in paragraph (b) of this section an explanation of such alphabetical arrangement must be shown in the place where the index of points would have been published substantially in the following manner:

#### INDEX OF POINTS OF ORIGIN AND DESTINATION

(Points of origin and destination are arranged alphabetically throughout pages ---- through ---- of tariff).

or

(Points of origin and destination are arranged alphabetically throughout each section on pages ---- through ---- of tariff).

(d) *When reference to items (or similar units) or pages may be omitted from index.* If a tariff contains rates or fares for account of two or more carriers, the index of points shall show the carrier or carriers serving each point but may omit reference to each item (or similar unit) or page where each point appear, provided that the tariff conforms with paragraphs (b) (1) or (2) of this section and that the explanation of the alphabetical arrangement of points is shown in the heading of the index on each page thereof in the manner set forth in paragraph (c) of this section.

§ 221.37 *Explanations of abbreviations, reference marks, and symbols—*

(a) *Explanation required.* Abbreviations, reference marks, and symbols which are used in the tariff but which are not explained on the respective pages on which they are used shall be shown following the above described indexes. Each page on which abbreviations, reference marks, or symbols are used but not explained thereon shall refer to the page containing their explanations. Such reference shall be shown substantially in the following manner (at the bottom of the page)

For explanations of abbreviations, reference marks, and symbols used but not explained hereon, see page — (as amended).

(b) *Uniform symbols.* The following symbols shall be used only in the manner specified in § 221.114 and the following explanations of such symbols shall be used in all tariff publications:

(R) or ↓ —denotes reductions.

(A) or ↑ —denotes increases.

(C) or ▲ —denotes changes which result in neither increases nor reductions.

(E) or ● —denotes no change.

Either the set of lettered symbols above or the set of solid black symbols to their right, but not both, shall be used.

(c) *Restrictions on use of certain symbols.* The symbols ¢, \$, and % shall be used to mean "cents," "dollars," and "percent," respectively, and shall not be used for any other purpose.

(d) *Prohibited abbreviations, symbols, or reference marks.* The following shall be shown in full and shall not be designated by symbols, abbreviations, or reference marks:

(1) Name of an agent.

(2) Name of a carrier (except in the rules or regulations and in the routings)

(3) Name of a city or town.

(4) Name of a month.

§ 221.38 *Rules and regulations—(a) Contents.* Except as otherwise provided in this part, the rules and regulations of each tariff shall contain:

(1) Such explanatory statements regarding the fares, rates, rules or other provisions contained in the tariff as may be necessary to remove all doubt as to their application.

(2) All of the terms, conditions, or other provisions which in any way affect the rates, fares, or charges for air transportation named in the tariff.

(3) All of the rates or charges for and the provisions governing terminal services and all other services which the carrier undertakes or holds out to perform on, for, or in connection with persons and property transported in air transportation.

(4) All other provisions and charges which in any way increase or decrease the amount to be paid on any shipment or by any passenger or by any charterer or which in any way increase or decrease the value of the services rendered to the shipment or passenger or charterer.

(5) The rules and regulations promulgated by the Board governing the transportation of explosives and other dangerous articles as set forth in Part 49 of the Board's Civil Air Regulations (as amended or revised from time to time) including those portions of the Inter-



state Commerce Commission's Regulations for Transportation of Explosives and Other Dangerous Articles which are referred to in Part 49 of the Board's Civil Air Regulations. The rules and regulations required by this subparagraph (5) are required to be set forth in only those tariffs which contain rates or charges for the transportation of explosives and other dangerous articles.

(b) *Rule numbers.* Each rule or regulation shall be given a separate rule number and shall be designated as "Rule No.—". The same number shall not be assigned to more than one rule in the tariff. The rules and regulations shall be shown in the tariff in numerical order by rule number. A gap between rule numbers may be allowed for the addition of future rules, for example, the rules in an original tariff may be numbered Rules Nos. 5, 10, 15, etc. When a rule contains more than one paragraph, the paragraphs and subparagraphs shall be consecutively lettered or numbered.

(c) *Single subject and caption.* Each numbered rule shall be confined to a single subject and shall bear a caption descriptive of the subject matter therein. Such caption shall be shown in distinctive type.

(d) *Rules of limited application.* A rule affecting only a particular rate, fare, or other provision in the tariff shall be specifically referred to in connection with such rate, fare, or other provision, and such rule shall indicate that it is applicable only in connection with such rate, fare or other provision. Such rule shall not be published in a separate governing rules tariff.

(e) *Clear, explicit, and definite statements required.* All rules and regulations shall be stated in clear, explicit, and definite terms. Ambiguous or indefinite terms or language shall not be used. Where the rules and regulations contain any rates or charges or other amounts affecting the charges to be paid on any shipment or by any passenger or charterer, such rates, charges, or amounts shall be stated in United States dollars or cents to be applied to a definite unit of weight, measurement, time, currency, or other definite measure. When transportation fares or rates are published in foreign currency under authority of § 221.51 (b) any charges or other amounts set forth in rules or regulations may be stated in such foreign currency in addition to the required statement in United States currency. Where the carrier holds out to perform terminal or other services in connection with air transportation, the rule covering such services shall describe the exact service, state the rates or charges which the carrier will make for such service, and set forth in definite terms the conditions under which the carrier will perform such service. Where a rule provides a charge in the nature of a penalty, the rule shall state the exact conditions under which such charge will be imposed. Rules and regulations shall not contain indefinite statements to the effect that traffic of any nature will be "taken only by special arrangement" or that services will be performed or penalties imposed "at carrier's option" or that the carrier "reserves the right" to

act or to refrain from acting in a specified manner, or other provisions of like import; instead, the rules shall state definitely what the carrier will or will not do under the exact conditions stated in the rules.

(f) *Conflicting or duplicating rules prohibited.* The publication of rules or regulations which duplicate or conflict with other rules or regulations published in the same or any other tariff for account of the same carrier or carriers and applicable to or in connection with the same transportation is hereby prohibited.

(g) *Separate rules tariff.* Where it is desirable or found more practicable, the rules and regulations required by this section may be published in separate governing tariffs to the extent authorized and in the manner required by §§ 221.100 through 221.104.

(h) *Exceptions to governing tariffs.* Whenever a rule or regulation in a fare or rate tariff is an exception to a rule or regulation in a governing tariff, the rule in the rate or fare tariff shall specify (by rule number) the rule in the governing tariff to which it is an exception and state the extent to which it supersedes the rule in the governing tariff.

§ 221.39 *Classification ratings or exceptions ratings—* (a) *Classification ratings.* Each tariff containing class rates shall list all articles or commodities accepted for transportation together with their applicable ratings in the following manner:

(1) The articles or commodities on which the ratings apply shall be described and listed in an orderly manner, and opposite each article or commodity there shall be shown the class rating applicable to the respective article or commodity.

(2) The articles or commodities shall be listed alphabetically in one sequence throughout the section of class ratings to the greatest extent that is practicable. A group of articles or commodities may be published under a generic commodity heading provided that the generic heading appears in its proper alphabetical sequence in the section of class ratings and that the articles or commodities in such group are listed alphabetically and indented under such generic heading.

(3) The class ratings assigned to the articles or commodities shall be numbered classes corresponding identically to the numbered classes for which class rates are provided. (See § 221.73 (c) describing rates on numbered classes.)

(4) Each commodity description and its applicable class rating shall be published in a separate, numbered item. The items shall be shown in numerical order in sequence with other item numbers as may be used in the tariff.

(5) An item shall not state that the rating on any article or commodity will be that applying on another article or commodity, for example, an item shall not provide that "fire clay" will take "fire-brick" ratings (if "fire clay" is to take the same rating as "fire-brick", such rating shall be shown in the item listing "fire clay").

(6) The publication of class ratings which duplicate or conflict with other class ratings is hereby prohibited. Also, class ratings shall not take precedence over other class ratings (except as provided in paragraph (c) of this section).

(7) The following format is suggested for the publication of classification ratings in the tariff containing the class rates, but may be adjusted to conform with the format or context of a particular tariff:

#### CLASSIFICATION RATINGS

(Applicable only in connection with class rates in §...)

Item No.	Article or commodity	Class

(b) *Classification ratings in governing tariff.* The classification of articles required by paragraph (a) above may be omitted from the rate tariff provided that it is published in its entirety in a separate classification tariff in accordance with §§ 221.100, 221.101, and 221.105.

(c) *Exceptions ratings.* When the classification ratings are published in a separate classification tariff as provided under paragraph (b) of this section and it is found necessary to publish ratings which are exceptions to such classification ratings without canceling the classification ratings, this part of the class rates tariff shall contain the ratings which are exceptions to the ratings in the governing classification tariff. Such exceptions ratings shall be published in compliance with the following requirements:

(1) The exceptions ratings shall comply with subparagraphs (1) through (7) of paragraph (a) of this section, except that the heading reading "Classification Ratings" in paragraph (a) (7) of this section shall be changed to read substantially "Exceptions to Ratings in Governing Classification."

(2) Exceptions ratings shall be exceptions, in fact, to ratings in the governing classification and shall not be published to cover commodities for which no ratings are provided in the governing classification.

(3) Exceptions ratings restricted to apply from and to or between a small number of points shall not be published to avoid the publication of specific commodity rates from and to or between such points.

(4) The descriptions of the commodities on which the exceptions ratings apply shall conform as closely as possible to the commodity descriptions in the governing classification tariff.

§ 221.40 *Statement of fares or rates for air transportation.* The statement of fares for the air transportation of persons shall be prepared in accordance with the provisions of Subpart E of this part. The statement of rates for the air transportation of property shall be prepared in accordance with the provisions of Subparts E and F of this part.

§ 221.41 *Routing—* (a) *Required routing.* The route or routes over which each fare or rate applies shall be stated



in the tariff in such manner that the following information can be definitely ascertained from the tariff:

(1) The carrier or carriers performing the transportation,

(2) The point or points of interchange between carriers if the route is a joint route (via two or more carriers)

(3) The intermediate points served on the carrier's or carriers' routes applicable between the origin and destination of the rate or fare and the order in which such intermediate points are served. (This information, however, is not required in those property tariffs which are not subject to rules or other provisions for stopping in transit, applying rates to or from intermediate points, or any other provisions which require determining what intermediate points are served via the tariff routing between the origin point and destination point of a rate; nor is it required in passenger tariffs of carriers whose operations are other than over defined routes stated in certificates or permits issued by the Board; nor in charter tariffs.)

(b) *Method of publication.* The routing required by paragraph (a) of this section may be shown either directly in connection with each fare, rate, or charge for transportation or in a routing portion of the tariff following the fares and rate portion. When the latter method is used, the fare or rate from each point of origin to each point of destination shall bear a routing number and the corresponding routing numbers and their respective explanations of the applicable routings shall be arranged in numerical order by routing numbers in the routing portion of the tariff.

**SUBPART E—REQUIREMENTS APPLICABLE TO ALL STATEMENTS OF FARES OR RATES**

§ 221.50 *Clear and explicit statement; systematic arrangement.* All fares, rates, and charges shall be clearly and explicitly stated and shall be arranged in a simple and systematic manner. Complicated plans and ambiguous or indefinite terms shall not be used. So far as possible, the fares, rates, and charges shall be subdivided into items or similar units, and an identifying number shall be assigned to each item or unit to facilitate reference thereto.

§ 221.51 *Currency—(a) Statement in United States currency required.* All fares, rates, and charges shall be stated in cents or dollars of the United States except as provided in paragraph (b) of this section.

(b) *Statements in both United States and foreign currencies permitted.* Rates, fares, and charges applying between points in the United States, on the one hand, and points in foreign countries, on the other hand, or applying between points in foreign countries, may also be stated in the currencies of foreign countries (in addition to being stated in United States currency as required by paragraph (a) of this section: *Provided, That:*

(1) The fares, rates, and charges stated in currencies of countries other than the United States are equivalent in value to the respective fares, rates,

and charges stated in cents or dollars of the United States.

(2) Each page containing fares, rates, and charges shall clearly indicate the respective currencies in which the fares, rates and charges thereon are stated, and

(3) The fares, rates, and charges stated in cents or dollars of the United States are published separately from those stated in currencies of other countries. Such separate publication shall be done in a systematic manner and the fares, rates, and charges in the respective currencies shall be published either in separate columns on the same page, or on separate pages, or in separate numbered sections of the tariff.

§ 221.52 *Territorial application—(a) Specific points of origin and destination.* Except as otherwise provided in this part, the specific points of origin and destination from and to which the fares or rates apply shall be specifically named directly in connection with the respective fares or rates. The state, territory, possession, or District of Columbia in which each United States point is situated shall be shown in connection with each such point. If the tariff contains fares or rates applying to or from points in foreign countries, the respective country in which each point is situated shall also be shown in connection with each and every point named in the tariff.

(b) *Points taking same rates or fares.* The fares or rates applying to or from a particular point named in the table of rates or fares may be made to apply to or from other points, without naming such other points in the table in the following manner: Show the latter points in their proper alphabetical order in the indexes of points or origin and destination in the tariff and show in connection with each such point that it takes the same fares or rates as apply to (or from) the particular point named in the table of fares or rates.

(c) *Territorial application of time or distance rates or fares.* Where fares, rates, and charges are published to apply per mile or per hour or other units of time or distance as provided in §§ 221.55 and 221.56, the exact territory or territories within which or between which such fares or rates apply shall be stated either directly in connection with the fares, or rates, or in a rule in the same tariff and reference to such rule shall be shown in connection with such rates, fares, or charges.

(d) *Directional application.* A tariff shall specifically indicate directly in connection with the rates or fares therein whether they apply "from" and "to" or "between" the points named. Where the rates or fares apply in one direction, the terms "From" and "To" shall be shown in connection with the point of origin and point of destination, respectively, and, where the rates and fares apply in both directions between the points, the terms "Between" and "And" shall be shown in connection with the respective points.

§ 221.53 *Airport to airport application, accessorial services.* Tariff publications containing rates or fares for air transportation shall specify whether or

not they include additional services in one of the following ways:

(a) The tariff shall indicate that rates or fares include pick-up, delivery, or other services, explicitly defining the services to be furnished, and defining areas or points within or between which the services will be performed; or

(b) The tariffs shall indicate that the rates or fares apply only from airport to airport and that the carrier does not perform additional services; or

(c) The tariff shall indicate that the rates or fares apply only from airport to airport but that additional services are furnished subject to additional charges, setting forth the carrier's charges for all other services and other provisions applicable thereto, as required by § 221.38, and the tariff shall clearly and explicitly specify the extent to which such services will be furnished and the areas or points within or between which terminal transportation will be provided. (See § 221.103 authorizing publication of terminal and transfer services in a separate tariff.)

§ 221.54 *Distance fares, rates, or charges.* (a) Tariffs containing fares or rates which are stated to apply per mile or other unit of distance shall provide one or another of the following methods for determining distance.

(1) Show the applicable distance from each point of origin to each point of destination from and to which such fares or rates apply, or

(2) Make reference by C. A. B. number to a separate mileage or distance guide for such distances (see § 221.106)

(3) As a temporary expedient pending development of adequate mileage or distance guides, make reference to the United States Department of Commerce Coast and Geodetic Survey Special Publication No. 238, Air-Line Distances between cities in the United States, or reissue thereof.

The unit of distance on which the rates or fares apply shall be the same unit in which the applicable distances are published, for example, if the applicable distances are stated in miles the rates or fares shall be stated to apply "per mile"

(b) Distance fares or rates may be published when specific point-to-point fares or rates are also published for the same transportation provided that the tariff containing the distance fares or rates (not a governing tariff) shall contain a rule making the distance fares or rates inapplicable when specific point-to-point rates or fares are provided for the same transportation, except that distance specific commodity rate shall not be made inapplicable when specific, point-to-point class rates or general commodity rates are provided.

§ 221.55 *Time fares, rates, or charges.* Fares, rates, or charges for air transportation shall not be stated to apply per hour or any other unit of time except that rates, fares, or charges for the charter of an entire aircraft, or for the movement of empty aircraft incidental to such charter, may be stated to apply per hour or other unit of time provided the tariff clearly indicates how to deter-



mine the total period of time on which charges are to be assessed.

§ 221.56 *Joint fares or rates to include transfer at interchange points.* A joint fare or rate applying from a point on the line of one carrier to a point on the line of another carrier shall include transfer services at intermediate interchange points, and no charge for such transfer services may be added to the joint rate or fare for a shipment handled through and not stopped for special services at such interchange points or for a passenger who travels through and does not voluntarily stop over at such interchange points. All tariffs containing joint fares or rates shall contain the following rule:

(Rule to be published in passenger tariff)

The joint fares published herein include all charges for transfer services at intermediate interchange points for passengers transported through without voluntarily stopping over at interchange points.

(Rule to be published in property tariff)

The joint rates and charges published herein include all charges for transfer services at intermediate interchange points on shipments handled through and not stopped for special services at interchange points.

§ 221.57 *Proportional fares or rates—*  
(a) *Definite application.* Proportional fares or rates shall be specifically designated as "proportional" fares or rates on each page where they appear. Subject to paragraphs (b) and (c) of this section, proportional fares or rates shall be specifically restricted to apply:

(1) Only on traffic which:

(i) Originates at a point of origin beyond the point from which the proportional fare or rate applies, or

(ii) Is destined to a point of destination beyond the point to which the proportional fare or rate applies, or

(iii) Both originates at a beyond point specified in subdivision (i) of this subparagraph and is destined to a beyond point specified in subdivision (ii) of this subparagraph.

(2) Only when the passenger is transported on a through ticket or the shipment is transported on a through airbill or other form of transportation contract covering the through transportation from and/or to such beyond points.

(b) *Restrictions upon beyond points or connecting carriers.* If a proportional fare or rate is intended for use only on traffic originating at and/or destined to particular beyond points or is to apply only in connection with particular connecting carriers, such application shall be clearly and explicitly stated directly in connection with such proportional fare or rate.

§ 221.58 *Arbitraries.* A tariff may provide that rates or fares from or to particular points shall be determined by the addition of arbitraries to, or the deduction of arbitraries from, rates or fares therein which apply to or from base points. Provisions for the addition or deduction of such arbitraries shall be shown either directly in connection with the fare or rate applying to or from the base point or in a separate provision which shall specifically name the base point. The tariff shall clearly and

definitely state the manner in which such arbitraries shall be applied.

§ 221.59 *Fares or rates stated in percentages, or fixed relationships of other fares or rates.* (a) Fares or rates for air transportation of persons or property shall not be stated in the form of percentages, multiples, fractions, or other relationship to other fares or rates except to the extent authorized in paragraphs (b) and (c) of this section with respect to passenger fares and in Subpart F of this part with respect to property rates.

(b) A basis of fares for refund purposes may be stated by rule, in the form of percentages of the fares named in the tariff governed by such rule.

(c) Fares for children, round trips, circle trips, open jaw trips, and similar fares may be stated as percentages of other fares (hereinafter referred to as base fares) applying from and to the same points, via the same routing and for the same class of service: *Provided, That:*

(1) Such statement of fares shall be published as a rule in the tariff naming the base fares or in a governing rules tariff.

(2) Such statement of fares shall refer to a conversion table complying with subparagraph (3) of this paragraph for the purpose of determining the amounts of such fares in cents or dollars represented by the published percentages of the base fares.

(3) A conversion table shall be published in the fares section of the tariff containing the base fares or, if that tariff is governed by a rules tariff, the table may be published after the last rule therein. The conversion table shall contain in the first column, in numerical order ranging from the lowest to the highest amounts, the amounts of all of the base fares on which the percentages are to be applied. Each of the other columns shall be captioned with a percentage corresponding to a percentage in which a fare is stated. In each of the percentage-captioned columns and directly opposite each base fare, the amount in dollars or cents represented by the stated percentage of the respective base fare shall be shown. Such columns shall be arranged in numerical order ranging from the highest percentage to the lowest percentage. A clear and definite explanation of how to use the conversion table shall be shown in connection therewith.

(4) Excursion fares, or fares for a class of service different from the class of service under the base fares, shall not be stated as percentages of other fares.

§ 221.60 *Conflicting or duplicating rates or fares prohibited.* The publication of rates or fares of a carrier which duplicate or conflict with the rates or fares of the same carrier published in the same or any other tariff for application over the same route or routes is hereby prohibited.

§ 221.61 *Provisions for alternative use of or precedence of rates or fares prohibited.* Except as specifically authorized otherwise in this part, a tariff containing rates or fares shall not contain

nor be made subject to any tariff provisions to the effect that rates or fares in such tariff take precedence over or apply alternatively with other rates or fares in the same or any other tariff, or that the rates or fares in any other tariff take precedence over or alternate with the rates or fares in such tariff.

§ 221.62 *Local or joint fares or rates take precedence over aggregate of intermediates.* Where a local or joint fare or a local or joint rate is established for application over a particular route from point of origin to point of destination, such fare or rate is applicable over such route notwithstanding that it is higher or lower than the aggregate of intermediate fares or rates over such route, and each rate or fare tariff shall contain or be subject to a rule to that effect.

§ 221.63 *Applicable rate when no through local or joint fares or rates—*  
(a) *Lowest combination fare or rate applicable.* Where no applicable, local or joint fare or rate is provided from point of origin to point of destination over the route of movement, whichever combination of applicable fares or rates provided over the route of movement produces the lowest charge shall be applicable.

(b) *Date governing combination fares or rates.* A combination fare or rate for through transportation shall be treated as a unit (single factor rate) from point of origin to final destination. The combination fare or rate applied shall be the combination of the intermediate fares or rates in effect on the date on which the passenger or shipment was received by the carrier at point of origin for transportation, and all of the rules and other tariff provisions applicable to each intermediate fare or rate in effect on such date shall be observed and cannot be varied as to that passenger or shipment during the period of transportation to final destination.

#### SUBPART F—REQUIREMENTS APPLICABLE ONLY TO STATEMENTS OF PROPERTY RATES

§ 221.70 *Definite unit of rate.* (a) All rates for the air transportation of property shall be clearly and explicitly stated in cents or dollars per pound, per 100 pounds, per kilogram, per ton of 2,000 pounds, per ton of 2,240 pounds, per United States gallon, or other definite unit of weight or measurement of the articles shipped, except that charter rates may be stated in cents or dollars per aircraft, specifying the type of aircraft.

(b) When rates are stated in units of cubical measurement, such as per cubic foot, the tariff containing such rates, or its governing rules tariff, shall explicitly state how the cubical measurement of the articles shipped (including irregular shaped articles) is to be determined.

(c) Rates shall not be stated to apply per package or other shipping unit unless definite specifications as to size, weight, or capacity of the package or other shipping unit is specified in the tariff.

§ 221.71 *Quantities on which rates apply—*(a) *Quantities shall be specified.*



When rates for the air transportation of property are to apply only on particular quantities, such quantities shall be specified in the tariff directly in connection with the rates or, in the case of class rates, they may be stated in connection with the class ratings. Such quantities shall be stated in the same unit of weight or measurement as the rate; for example, rates stated in cents per pound shall be subject to minimum weights in pounds, rates stated in cents per kilogram shall be subject to minimum weights in kilograms. The published quantities to which rates are subject may be stated as minimum quantities (for example, minimum weight—pounds) or they may be stated in the form of quantity groups (for example, weight groups of "under 100 pounds" "100 pounds and over but less than 3,000 pounds" "3,000 pounds and over but less than 10,000 pounds" and "10,000 pounds and over"). These particular weights are shown for purposes of illustration only.

(b) *Different rates subject to different quantities.* Different rates on the same commodities from and to the same points subject to different minimum quantities or quantity groups may be published provided the following requirements are complied with:

(1) Different rates of the same type (general commodity rates, specific commodity rates, or class rates) subject to different quantities shall be published in the same item or be grouped together on the same page, or, in the case of class ratings subject to different quantities, such ratings shall be published in the same item of the classification or exceptions thereto.

(2) A lower rate shall be provided on a greater minimum quantity or quantity group.

(3) A tariff containing such rates or its governing rules tariff shall contain a rule to the effect that when two or more rates subject to different minimum quantities are provided on the same commodity in the same shipping form from and to the same points over the same route, the lower of the two charges specified under subdivisions (i) and (ii) of this subparagraph shall be applied:

(i) The charge computed on the quantity shipped at the rate applicable to such quantity, or

(ii) The charge computed on the next greater quantity, for which a lower rate is provided at the rate applicable to such greater quantity.

§ 221.72 *Types of property rates (class, general commodity, or specific commodity) which may be published—*

(a) *Types permitted.* Only the following types of rates shall be published to apply on the air transportation of property:

(1) Class rates (see § 221.73)

(2) General commodity rates (see § 221.74)

(3) Specific commodity rates (see § 221.75)

Either class rates or general commodity rates, but not both, may be published to apply between the same points via the same routes.

(b) *Order of publication in same tariff.* If both general commodity rates and specific commodity rates are published in the same tariff, the general commodity rates shall be published in tables or sections preceding the specific commodity rates. If both class rates and specific commodity rates are published in the same tariff, the class rates shall be published in tables or sections preceding the specific commodity rates.

§ 221.73 *Class rates—(a) Captions.* Class rates shall be published under the caption "Class Rates" to be shown on each page containing such rates.

(b) *Governing classification and exceptions thereto.* A tariff of class rates shall contain a classification which shall assign a class rating to each specific article or commodity as required by § 221.39 (a) or shall be governed by a separate classification tariff containing such class ratings (see § 221.105). Also, the class rates may be made subject to exceptions to the ratings in the governing classification tariff as provided in § 221.39 (c).

(c) *Rates to be published on numbered classes; percentage relationship.*

(1) Class rates shall be published for numbered classes which shall correspond identically to the numbered classes assigned to the various articles or commodities by the classification or exceptions thereto and on which such rates are applicable.

(2) The classes shall be numbered according to either one of the following methods:

*Method 1.* The classes shall be consecutively numbered as "Class 1" "Class 2" "Class 3" "Class 4" etc., ranging from the class taking the highest rates to the class taking the lowest rates, respectively. All rates published for each class lower or higher than Class 1 shall bear the same percentage relationship to the respective Class 1 rates, for example, each Class 2 rate may equal 85 percent of the respective Class 1 rate, each Class 3 rate may equal 70 percent of the respective Class 1 rate. If it is found necessary to publish rates for classes higher than Class 1, such rates shall be assigned a class number which represents their percentage relationship of the Class 1 rate, for example, rates for "Class 1.25" or "1¼" shall equal 125% of the respective Class 1 rates.

*Method 2.* The rates in each class shall be assigned a class number which represents their percentage relationship of the respective "Class 100" rates. For example, rates for "Class 85" shall equal 85 percent of the respective "Class 100" rates, rates for "Class 70" shall equal 70 percent of the respective "Class 100" rates.

(d) *Arrangement.* The rates for each class shall be published in a single column and each column shall be captioned with its respective class. The columns shall be arranged on each page in the order of the classes ranging from the class taking the highest rates (to be published in the first rate column) to the class taking the lowest rates (to be published in the last rate column).

§ 221.74 *General commodity rates.* General commodity rates shall be published under the caption "General Commodity Rates" Such caption shall be shown on each page containing such rates. Each tariff which contains general commodity rates shall contain a rule

captioned "Application of General Commodity Rates" which shall provide that the general commodity rates apply on all commodities except those which will not be accepted for transportation under the terms of the tariff or of governing tariffs. Such rule shall be published in the tariff containing the general commodity rates and not in a governing tariff. If it is desired to establish a rate on a particular commodity different from the general commodity rate, a specific commodity rate shall be published on such commodity.

§ 221.75 *Specific commodity rates—*  
(a) *Applicable on specific articles or commodities named in tariff.* Specific commodity rates shall be published to apply only on specific articles or commodities which shall be specifically named in the tariff. Generic commodity descriptions shall not be used except to the extent permitted in paragraph (c) of this section. The commodity descriptions shall be set forth directly in connection with the respective rates to which they apply, except as otherwise provided in this section. Specific commodity rates shall apply only on the specific articles or commodities on which they are indicated by the tariff to apply and shall not apply on analogous articles or commodities. As far as possible, uniform commodity descriptions shall be used in all tariffs.

(b) *Numbered items.* Specific commodity rates shall be published in numbered items except as otherwise provided in paragraph (d) of this section. Two or more commodities taking different specific commodity rates from and to the same points shall not be published in the same item.

(c) *When generic commodity descriptions may be used.* A generic commodity description may be used in connection with a specific commodity rate to designate a number of specific commodities or articles embraced within such generic description, without naming such specific commodities or articles in connection with the rate, provided that the following requirements are complied with:

(1) The generic commodity description shown in connection with the rate shall refer to a numbered item (other than a rate item) in the same tariff which contains a list of the specific commodities or articles embraced within such generic commodity description and on which the rate will apply. The generic commodity description shall be shown in connection with the rate exactly as it appears in the heading of the item to which reference is made. Such generic commodity description and reference to the description item in the same tariff shall be shown in connection with the rate substantially in the following manner:

Drugs, as described in Item No. \_\_\_\_ (as amended)

(2) The item to which such reference is made in accordance with subparagraph (1) of this paragraph shall show the same generic commodity description as a heading and the complete list of specific articles or commodities on which the rate is to apply shall be arranged in



alphabetical order under such generic heading. For example, if the rate is indicated to apply on "Drugs, as described in Item No. -- (as amended)" the item to which such reference is made shall contain the following heading:

Drugs, namely—

and the specific drugs on which the rate is to apply shall be specifically named in alphabetical order and indented under such heading.

(3) The items containing the lists of specific commodities or articles under their respective generic headings shall be published immediately preceding the rates sections or tables in the tariff, and shall be published under a heading (on each page) which shall provide that such commodity descriptions are applicable only when and to the extent that reference is made to such commodity descriptions. Each such list of articles or commodities under a generic heading shall be published in a separate item.

(4) The method of publication authorized in this paragraph shall not be used when a specific commodity rate applies on less than ten specific commodities or articles embraced within a generic commodity description. In such cases, the specific commodities or articles shall be named in connection with the rate.

(d) *Commodity descriptions in items published separately from rates when latter arranged alphabetically by points of origin and destination.* When all specific commodity rates in a tariff are published in tabular form and all points of origin and destination are arranged alphabetically in one sequence throughout the table of specific commodity rates, the commodity descriptions applicable to such rates may be published separately provided the following requirements are complied with:

(1) The full commodity descriptions shall be published in numbered items (other than rate items) immediately preceding the table of specific commodity rates.

(2) The items containing the commodity descriptions shall be published under a heading (on each page) which shall state that such commodity descriptions apply only in connection with and to the extent that reference is made thereto by the specific commodity rates on pages ---- through ---- (or, in § ----) of the tariff.

(3) Directly in connection with each specific commodity rate, reference shall be shown to the respective item containing the description of the specific commodities or articles on which such rate applies.

(e) *When specific commodity rates may be stated as percentages.* Specific commodity rates may be stated as percentages of general commodity rates applying from and to the same points over the same route or routes provided the following requirements are complied with:

(1) Such specific commodity rates shall be published in the same tariff which contains the general commodity rates applying from and to the same points over the same route or routes.

(2) Such specific commodity rates shall not be published unless they are to apply from and to all or substantially all points for which general commodity rates are provided in the tariff, except that if the tariff names general commodity rates for account of two or more carriers, such specific commodity rates may be restricted to apply for account of certain carriers. If the tariff names joint general commodity rates in which such carriers participate, the tariff shall clearly indicate the extent to which such joint general commodity rates may be used to determine specific commodity rates and define clearly the application of the resulting specific commodity rates.

(3) Such specific commodity rates shall refer to a conversion table in the same tariff, complying with subparagraph (4) of this paragraph, for the purpose of determining the amounts of the specific commodity rates in cents or dollars represented by the published percentages of the general commodity rates.

(4) A conversion table shall be published in the tariff naming such specific commodity rates. The conversion table shall contain in the first column, in numerical order ranging from the lowest to the highest amounts, the amounts of all of the base general commodity rates on which the percentages are to be applied. Each of the following columns shall be captioned with a percentage corresponding to a percentage in which a specific commodity rate is stated. In each of the latter columns and directly opposite each base rate, the amount in cents or dollars represented by the stated percentage of the respective base rate shall be shown. Such columns shall be arranged in numerical order ranging from the highest percentage to the lowest percentage. A clear and definite explanation of how to use the conversion table shall be shown in connection therewith.

§ 221.76 *Specific commodity rates remove application of class rates or general commodity rates—(a) Specific commodity rates versus general commodity rates.* When both specific commodity rates and general commodity rates are published to apply from and to the same points via the same routes, the tariffs containing such rates (or their governing rules or classification tariffs) shall contain a rule reading substantially as follows:

A specific commodity rate removes the application of the general commodity rate on the same quantity of the same article or commodity (in the same package or shipping form) from and to the same points over the same route.

(b) *Specific commodity rates versus class rates.* When both specific commodity rates and class rates are published to apply from and to the same points via the same routes, the tariffs containing such rates (or their governing rules or classification tariffs) shall contain a rule reading substantially as follows:

A specific commodity rate removes the application of the class rate on the same quantity of the same article or commodity (in the same package or shipping form) from and to the same points over the same route.

§ 221.77 *Straight or mixed shipments—(a) Rates will apply on straight or mixed shipments unless restricted.* When a rate is subject to a commodity description which names two or more commodities, such rate shall apply on a straight shipment (consisting wholly of only one of the commodities) or on a mixed shipment (containing two or more of the commodities) unless the commodity description specifies that the rate applies on the commodities in straight shipments only or on the commodities in mixed shipments only. If a rate is restricted to apply only on mixed shipments, the restriction shall specify whether two or more or all of the commodities named in the applicable description must be included in a single shipment.

(b) *Mixed shipment rule.* Each rate tariff (or its governing rules or classification tariff) shall contain a rule stating how the rates and charges are to be applied to a single mixed shipment of two or more commodities for which the same or different rates or charges are separately published. The rule shall state which minimum quantity is applicable to the entire mixed shipment where different minimum quantities are provided on the commodities in a mixed shipment and, if different rates are made applicable to the commodities in such mixed shipment, the rule shall state which rate is applicable to any deficit quantity (the difference between the quantity shipped and the applicable minimum quantity when the latter is greater).

#### SUBPART C—GOVERNING TARIFFS

§ 221.100 *When reference to governing tariffs permitted—(a) Reference to other tariffs etc. prohibited except as authorized.* A tariff shall not refer to nor provide that it is governed by any other tariff, document, or publication, or any part thereof, except as specifically authorized by this part.

(b) *Reference by rate or fare tariff to governing tariffs.* A fare tariff or a rate tariff may be made subject to a governing tariff or governing tariffs authorized by this subpart provided that reference to such governing tariffs is published in the rate tariff or fare tariff in the manner required by § 221.31 (a) (7).

(c) *Participation in governing tariffs.* A rate tariff or a fare tariff may refer to a separate governing tariff authorized by this subpart only when all carriers participating in such rate tariff or fare tariff are also shown as participating carriers in the governing tariff except:

(1) If such reference to a separate governing tariff does not apply for account of all participating carriers and is restricted to apply only in connection with local or joint rates or fares applying over routes consisting of only particular carriers, only the carriers for whom such reference is published are required to be shown as participating carriers in the governing tariff to which such qualified reference is made.

(d) *Maximum number of governing tariffs.* A single fare tariff or a single rate tariff shall not make reference to more than one tariff of each kind of governing tariff authorized by this subpart.



§ 221.101 *Contents of all governing tariffs*—(a). *Contents*. Each governing tariff authorized by this subpart shall contain only the following contents in the order named (in addition to the contents specified in the following respective sections of this subpart)

- (1) Title page (§ 221.31)
- (2) Correction number check sheet (in loose-leaf tariffs only) (§ 221.32)
- (3) Table of contents (§ 221.33)
- (4) List of participating carriers (§ 221.34)
- (5) Explanations of abbreviations, reference marks, and symbols (§ 221.37).
- (6) The contents specified in §§ 221.102 through 221.106 whichever section is applicable to the particular type of governing tariff. The contents specified in two or more of the latter sections shall not be combined into one governing tariff except that the contents specified in §§ 221.102 and 221.103 may be combined into one governing rules tariff.

(b) *Notation to be shown on title page*. Each governing tariff authorized by this subpart shall contain the following notation in distinctive type (to be shown above the issued and effective dates in the lower part of the title page)

This tariff is applicable only in connection with tariffs making reference to the C. A. B. number hereof.

§ 221.102 *Rules tariff*. The rules and regulations required by and conforming to § 221.33 (except those specified in § 221.38-(a) (5)) may be published in a separate governing tariff conforming to §§ 221.100 and 221.101 in lieu of including such rules and regulations in the rate tariffs or fare tariffs which they govern.

§ 221.103 *Pick-up, delivery, and transfer services*. If the rules containing rates, charges, and other provisions of the air carrier or foreign air carrier applicable to surface transportation, namely, pick-up service at points of origin, delivery service at points of destination, and transfer service at points of interchange, are voluminous, they may be published in a separate governing tariff conforming to §§ 221.100 and 221.101 in lieu of including such rules and regulations in the rate or fare tariff or in the governing rules tariff authorized by § 221.102. Such rules, when published in a separate tariff shall conform to the requirements of § 221.38.

§ 221.104 *Explosives and other dangerous articles*. If desirable or practicable, the rules and regulations governing the transportation of explosives and other dangerous articles as set forth in Part 49 of the Board's Civil Air Regulations (including those portions of the Interstate Commerce Commission's Regulations for Transportation of Explosives and Other Dangerous Articles which are referred to in Part 49 of the Board's Civil Air Regulations) as amended or revised from time to time, may be published in a separate governing tariff conforming to §§ 221.100 and 221.101, in lieu of including such rules or regulations in the fares tariffs or rates tariffs which they govern. Such separate governing tariff shall contain no other rules or

governing provisions except that it may contain restrictions on the extent to which participating carriers will accept for transportation such explosives and other dangerous articles.

§ 221.105 *Classification tariff*—(a) *Requirements*. When the classification ratings required by § 221.39 (a) are published in a separate classification tariff pursuant to § 221.39 (b) such separate classification tariff shall conform with §§ 221.100 and 221.101 and the requirements in this section.

(b) *Index of commodities*. Each classification tariff shall contain an index of commodities conforming with § 221.35.

(c) *Rules or regulations*. Each classification tariff shall contain such rules or regulations as may be necessary to make the application of the classification ratings clear and definite. If the classification tariff is published for account of more than one carrier, any exceptions to such rules or regulations for account of a particular carrier shall be published in the tariff containing the class rates of that carrier.

(d) *Classification ratings*. All articles or commodities accepted for transportation shall be listed together with their applicable class ratings in the manner described in subparagraphs (1) through (6) of § 221.39 (a). Any exceptions to the classification ratings shall be published in the tariffs containing the class rates governed by such classification tariff (see § 221.39 (c)).

§ 221.106 *Mileage or distance guide*. (a) When a tariff containing mileage or distance rates or fares refers to a separate tariff for the applicable distances as permitted by § 221.54, such separate tariff of distances shall conform with §§ 221.100 and 221.101 and the following requirements:

- (1) The tariff shall name the applicable distance from each point to each other point from and to which the rates or fares apply.
- (2) The points shall be arranged in alphabetical order in one sequence throughout the tariff.
- (3) The distances shall be stated in the same units of distance on which the rates or fares apply. For example, if the fares are stated in cents per mile, the applicable distances shall be stated in miles.

#### SUBPART H—AMENDMENT OF TARIFFS

§ 221.110 *Methods of amending tariffs*—(a) *Loose-leaf tariffs*. Amendment of a loose-leaf tariff shall be made only by (1) issuing revised pages or additional original pages to such tariff as provided in § 221.111, or (2) reissuing the tariff, that is, issuing a new tariff canceling completely the tariff to be amended. Supplements shall not be issued to a loose-leaf tariff except as specifically authorized in this part.

(b) *Book tariffs*. Amendment of a book tariff shall be made only by (1) issuing supplements to such tariff as provided in § 221.112, or (2) reissuing the tariff, that is, issuing a new tariff canceling completely the tariff to be amended.

(c) *Who may amend*. A tariff shall be amended only by the carrier or agent

who issued the tariff (except as otherwise authorized in Subparts S and T)

(d) *Amendment symbols*. All amendments of rates, fares, rules, and other tariff provisions accomplished by tariffs, supplements, revised pages, or original pages shall be indicated by the use of uniform amendment symbols in the manner prescribed by § 221.114.

(e) *Amendments involving suspension*. All amendments involving tariff provisions suspended by the Board or continued in effect by such suspension are also subject to the requirements of Subparts I, J, and K of this part.

§ 221.111 *Amending loose-leaf tariff by revised pages and additional original pages*—(a) *Amendment by revised pages*—(1) *Method*. The amendment of any page of a loose-leaf tariff shall be made only by reissuing the particular page upon which the change, addition, or cancellation is to be made. Reissuing such page means to cancel it by a new page which shall be designated as a revised page in the manner shown below and shall contain the same tariff provisions except whatever additions, changes, or cancellations are to be made in such provisions. Each revised page shall bear the same page number as the page which it amends and shall bear a consecutive revision number as hereinafter explained. A revised page which amends an original page shall be designated "1st Revised Page \_\_\_\_" and revisions of the same page subsequent to the "1st Revised Page \_\_\_\_" shall bear consecutive revisions numbers. "2nd Revised Page \_\_\_\_" "3d Revised Page \_\_\_\_" "4th Revised Page \_\_\_\_" etc. Each revised page shall direct the cancellation of the original or revised page which it amends and such cancellation shall be shown in the following manner (using Page 10 as an example)

1st Revised Page 10  
cancels  
Original Page 10

or, when 1st Revised Page 10 is to be amended, it shall be canceled by 2nd Revised Page 10 in the following manner:

2d Revised Page 10  
cancels  
1st Revised Page 10

In the case of revised title pages, the revised page designations and the page cancellations shall be shown as "1st Revised Title Page cancels Original Title Page", "2nd Revised Title Page cancels 1st Revised Title Page" etc.

(2) *Revised title page shall show effective date of original tariff*. Each revised title page shall bear (immediately below its own effective date) the effective date of the original tariff which is to be shown in the following manner:

(Original tariff effective \_\_\_\_\_)  
(Show date)

(3) *Revised title page shall bring forward tariff cancellation*. Each revised title page shall bring forward without change any tariff cancellation or reference to a cancellation notice that is shown below the tariff's C. A. B. number on the original title page.

(b) *Adding original pages for expanded or added matter*. If, after a



loose-leaf tariff has been issued, it becomes necessary to add an additional page thereto to provide for expanded or added tariff matter, such added page shall be designated as an original page (not a revised page) and shall be numbered in the following manner:

(1) *Adding a page between pages.* When a page is added between existing pages of the tariff, it shall be given the same page number as the page which it follows but a letter suffix (in alphabetical sequence) shall be shown in such page number. For example, a page added between pages 4 and 5 of the tariff shall be designated as "Original Page 4-A" a page added between pages 4-A and 5 of the tariff shall be designated as "Original Page 4-B," etc. However, a page shall not be added between two pages both bearing page numbers with letter suffixes. If it subsequently becomes necessary to amend Original Page 4-A, it shall be done in the manner prescribed in paragraph (a) of this section by issuing 1st Revised page 4-A which shall direct the cancellation of Original Page 4-A.

(2) *Adding a page at end of tariff.* When a page is added at the end of the tariff after the last page, the added page shall bear the next consecutive number following the number of the last page of the tariff; for example, if the last page of the tariff is page 99, the added page shall be designated Original Page 100.

(c) *Correction numbers.* Each revised page and each original page (added to the tariff after issuance of the tariff) shall bear a consecutive correction number in the lower right-hand corner of the page. One series of consecutive correction numbers shall be used for each loose-leaf tariff. The first revised page or added original page issued to the tariff shall be "Correction No. 1" and subsequent revised or original pages issued to that tariff shall bear consecutive Corrections Nos. 2, 3, 4, etc. (see § 221.32)

(d) *Transferring matter from page to page.* When a revised page of a loose-leaf tariff is issued which omits rates, fares, rules, or other provisions formerly published on the page which it cancels and such omitted matter is transferred to a different page, such revised page shall make specific reference to the respective page on which such omitted matter will thereafter be found, for example:

For ----- (here identify the omitted matter) formerly published on ---- Revised Page ----, see ---- Revised Page ----

The page to which such omitted matter is transferred shall refer, substantially in the following manner, to the respective page on which such matter was formerly published:

For ----- (here identify the transferred matter) in effect prior to the effective date hereof, see ---- Revised Page ---- (or, Original Page ----).

The cancellation of the matter from the former page shall be made effective simultaneously with the effective date of such matter on the page to which it is transferred. Subsequent revisions of the respective pages accomplishing such transfer shall omit the references re-

quired above with respect to such transferred matter.

(e) *Cancellation of omitted matter.* If a rate, fare, rule, or other tariff provision on a page is to be canceled entirely and is not to be transferred to another page of the same tariff, the revised page which effects such amendment shall specifically show the cancellation of such provisions and identify the provisions to be canceled. For example, if a rule is canceled, the number and caption of the rule should be brought forward on the new page but the body of the rule should be omitted and, in lieu thereof, a statement that the rule is canceled should be shown; or, if a fare is to be canceled, the points of origin and destination should be brought forward on the new page but the fare should be omitted and, in lieu thereof, a statement that the fare is canceled should be shown. Such cancellations shall be omitted from subsequent revisions of the revised page which effected the cancellation.

(f) *Matter reissued before it becomes effective.* When rates, fares, rules, or other provisions which have not become effective are reissued and brought forward on a page which bears a general effective date earlier than the effective date of such rates, fares, rules, or other provisions, such page shall conform with the following:

(1) Such rates, fares, rules, or other provisions shall bear their original effective date, shall be designated as reissued matter, and shall indicate the page from which they are reissued. Such information shall be shown, either directly in connection with the reissued matter or by the use of a reference mark (explained on the same page), in the following manner:

Effective ----- Reissued from ----  
Revised Page ----

(2) The general effective date of the page shall be qualified by a notation reading "(Except as noted)" to be shown directly following the general effective date.

(g) *Cancellation of participating carrier.* When a participating carrier is canceled by a revised page, the fares (or rates) and other provisions of the tariff insofar as they apply in connection with such carrier shall be canceled at the same time. Such cancellation shall be accomplished by revising the particular pages containing the fares (or rates) and other tariff provisions affected.

§ 221.112 *Amending book tariff by supplement.* (Also applicable to supplements to loose-leaf tariffs when such supplements are specifically authorized in this part.)

(a) *Form of supplement.* (1) A supplement shall be constructed in the same manner and its contents arranged in the same order as the tariff to which it is issued, subject to the provisions of this section.

(2) When points in a tariff are given station numbers, index numbers, or similar designations, the same designation shall be used for the same point in all supplements to the tariff.

(b) *Title page of supplement.* Except as otherwise provided in this part,

the title page of each supplement shall contain the following information to be shown in the order named below and shall contain no other matter:

(1) *Supplement and C. A. B. numbers.* Each supplement shall bear a consecutive supplement number as follows: The first supplement issued to a particular tariff shall be designated as Supplement No. 1 and subsequent supplements to the same tariff shall be consecutively numbered Supplements Nos. 2, 3, 4, etc. The supplement number and the C. A. B. number (of the tariff to which the supplement is issued) shall be shown in the upper right hand corner of the title page in the manner shown in the following example:

Supplement No. 1  
to  
C. A. B. No. 1

(2) *Specifying canceled and effective supplements.* Each supplement shall specify on its title page the supplements which it cancels in full and the supplements which remain in effect. Such provisions shall be shown immediately below the supplement and C. A. B. numbers in the upper right hand corner of the title page in the manner shown in the following example:

Supplement No. 3  
to  
C. A. B. No. 1  
(Cancels Supplement No. 1)

Supplements Nos. 2 and 3 are the only effective supplements. The only cancellation of prior supplements or of the tariff which shall be shown on the title page of a supplement shall be the complete cancellation of prior supplements or of the tariff as provided herein and in subparagraph (3) of this paragraph. Specific cancellation of the particular items, rules, rates, fares, or other provisions to be amended shall be made within the supplement in the manner required by this section.

(3) *Specifying cancellation of original tariff.* When a tariff is cancelled in full by a supplement issued thereto, such cancellation shall specify the C. A. B. number of the tariff and shall be shown immediately under the supplement and C. A. B. numbers in the upper right hand corner of the title page of the supplement in the manner shown in the following example:

Supplement No. 4  
to  
C. A. B. No. 1  
cancels  
C. A. B. No. 1

Also, see § 221.113 (d)

(4) *Provisions to be reproduced from title page of tariff (as amended)* The following provisions appearing on the title page of the tariff (to which the supplement is issued) as amended, shall be shown on the title page of the supplement in the same order and location as it appears on the title page of the tariff as amended:

- (i) Name of issuing carrier or agent,
- (ii) Title of tariff (the supplement number may also be shown immediately above the title of the tariff, if desired),
- (iii) Description of rates, fares, or other contents of tariff.



(iv) Description of territory.

(5) *Reference to Special Tariff Permissions, orders, and regulations.* Where an entire supplement is issued pursuant to a Special Tariff Permission, order, or regulation which requires the supplement to bear a notation referring to such Special Tariff Permission, order, or regulation, such notation shall be shown in the manner required thereby. If only certain provisions, and not the entire supplement, are issued pursuant to such permission, order, or regulation, such notation shall be shown in connection with those provisions and not on the title page.

(6) *Expiration date.* When a tariff is indicated on its title page to expire with a specified date, the title page of a supplement to such tariff shall indicate that the supplement expires with the same date. When a supplement is to expire with a given date, for the above or other reasons, the expiration date shall be shown in distinctive type in the following manner:

This supplement expires with \_\_\_\_\_  
(Show date)  
unless sooner canceled, changed, or extended.

If, however, only a portion of the supplement is to expire with a given date, such expiration date shall not be shown on the title page but shall be shown in connection with the particular item, rule, or other provision which is to expire.

(7) *Issued date.* The date on which the supplement is issued shall be shown in the lower left-hand portion of the title page.

(8) *Effective date.* The date on which the fares, rates, charges, rules and other provisions in the supplement will become effective shall be shown in the lower right-hand portion of the title page. (See § 221.160 for required notice.)

(9) *Issuing officer or agent.* The name, title, and address of the issuing officer or the issuing agent shall be shown centered at the bottom of the title page. If the supplement is issued by a carrier, the issuing officer shall not use the titles "Agent" or "Alternate Agent" (see §§ 221.10 and 221.11)

(c) *Table of contents.* A supplement shall contain a table of its contents conforming to § 221.33.

(d) *List of participating carriers.* (1) When a tariff contains a list of participating carriers (see § 221.34) each supplement issued thereto shall contain the following provision:

*List of participating carriers.* The list of participating carriers is as shown in tariff. If amendment of the list of participating carriers has been made in prior supplements, add "as amended" after the word "tariff" in the above statement. If additions, eliminations, or changes are to be made in the list of participating carriers, such amendments shall be published in the following manner:

LIST OF PARTICIPATING CARRIERS

The list of participating carriers is as shown in tariff, as amended, except:

Revised as indicated	Participating carriers	Concurrence No.
Add.....	Boe Air Lines, Inc.....	1
Change.....	Doe Airways, Inc.....	2
Cancel.....	Roe Airline Co.....	

The listing of participating carriers in a supplement shall otherwise conform to the requirements of § 221.34.

(2) When a participating carrier is canceled by supplement, the fares or rates and other provisions of the tariff, so far as they apply in connection with such carrier, shall be canceled at the same time. Such cancellation shall be accomplished by amending the affected items or other provisions in the manner prescribed by paragraphs (h) and (i) of this section.

(e) *Index of commodities.* A supplement shall contain an index of the commodities therein conforming to § 221.35.

(f) *Index of points.* A supplement shall contain an index of the points therein conforming to § 221.36.

(g) *Explanations of abbreviations, reference marks, and symbols.* All abbreviations, reference marks, and symbols used in a supplement shall be explained and are subject to the provisions of § 221.37. Each page of a supplement on which abbreviations, reference marks, or symbols are used but not explained thereon shall refer to the page of the supplement or to the page of the original tariff which contains their explanations.

(h) *Amending numbered items, rules, and similar units—(1) Method of amending.* When any provision contained in a numbered item, rule, or similar unit is amended, all provisions (in their amended form) of such item, rule, or unit shall be published in their entirety in the supplement affecting such amendment and shall be given the same item, rule, or unit number followed by a letter suffix (each item, rule, or unit number shall be assigned letter suffixes in consecutive alphabetical sequence, commencing with "A") The revised item, rule, or unit containing the amended provisions shall direct the cancellation of the former item, rule, or unit which it amends. The numbers of such revised items, rules, or units and the cancellation of such former items, rules, or units shall be shown in the following manner (using successive amendments in an Item 10 series as examples) When Item 10 is to be amended, the revised item containing the amended provisions shall show "Item 10-A cancels Item 10"; when Item 10-A is to be amended, the revised item containing the amendment provisions shall show "Item 10-B cancels Item 10-A"; when Item 10-B is to be amended, the revised item containing the amended provisions shall show "Item 10-C cancels Item 10-B"; and so on. Using similar successive amendments in a Rule 10 series as examples, the successive issues of Rule 10 shall show "Rule 10-A cancels Rule 10"; "Rule 10-B cancels Rule 10-A"; "Rule 10-C cancels Rule 10-B" and so on.

(2) *Withdrawing an item, rule, or similar unit.* When all provisions in a numbered item, rule, or similar unit are to be canceled, such cancellation shall be made by amending the item, rule, or similar unit in the manner prescribed by subparagraph (1) of this paragraph, but the canceled matter shall not be reproduced in the revised item, rule, or like unit except to the extent necessary to

identify the subject matter which is being canceled. For example only the caption or subject of a rule or the generic commodity caption of a rating or rate item shall be shown when such rule, rates or ratings are to be canceled.

(3) *Reestablishing expired or canceled items, rules, or other units.* The provisions of an expired or canceled item, rule, or similar unit may be reinstated only by republishing such provisions under a new effective date allowing lawful notice. The item, rule, or similar unit which effected the cancellation of such provisions or which contained the expired provisions shall be amended in the manner prescribed by subparagraph (1) of this paragraph and the provisions shall be republished in the revised item, rule, or similar unit.

(4) *Transferring matter* When all or part of the matter in a numbered item, rule, or similar unit is to be transferred to another portion of the tariff or to a different tariff, such item, rule, or similar unit shall be amended in the manner prescribed by subparagraph (1) of this paragraph and shall specify the cancellation of such matter and where it will thereafter be published; for example, "Item 10-A cancels Item 10; rates formerly appearing in Item 10 but not shown herein will be found in Item \_\_\_\_ (or in Item \_\_\_\_ of C. A. B. No. \_\_\_\_)" The item, rule, or similar unit, or different tariff, to which the matter has been transferred shall show reference to the item, rule or similar unit, or other tariff, which formerly contained the transferred matter.

(i) *Amending matter not published in numbered units.* When an amendment is made in a provision which is not published in a numbered item, rule, or similar unit, the changed provision shall be published in its entirety in a supplement. The cancellation of the former provision shall be shown directly in connection with such changed provision, and such cancellation shall refer to the page of the tariff or supplement containing the former provision and clearly specify the matter to be canceled. Where the provision to be amended is published in a prior supplement, the cancellation of such provision shall specify both the page of the prior supplement and the page of the tariff which contained the corresponding provision; or, if the provision was published initially in a supplement and not in the tariff, the cancellation shall specify both the page of the prior supplement and the page of any effective supplement issued previous thereto which contained the corresponding provision.

(j) *Omitted matter* When a supplement canceling a previous supplement omits points of origin or destination, routes, rates, fares, ratings, rules, or other provisions appearing in the previous supplement, the new supplement shall specifically indicate the cancellation of such omitted matter, and if such omission effects changes in rates, fares, charges, or services, that fact shall be indicated by the use of the uniform symbols prescribed in § 221.114.

(k) *Reissued matter—(1) Designating reissued matter.* When a supplement



cancels a preceding supplement to the same tariff, those provisions and amendments in the canceled supplement which have not been amended by subsequent supplements and which are not to be amended by the new supplement shall be brought forward without change in the new supplement (except that amendment symbols required by § 221.114 shall not be brought forward). Such matter brought forward without change from one supplement to another shall be specifically designated "Reissued" in distinctive type and shall show the number of the original supplement from which it was reissued. For example, if Item 5-A was published in Supplement No. 1 and is brought forward without change to Supplement No. 2 (canceling Supplement No. 1) the following notation shall be shown in Item 5-A in Supplement No. 2: "Reissued from Supplement No. 1" if Item 5-A is again brought forward without change, for example, in Supplement No. 3 (canceling Supplement No. 2) it shall continue to bear the same notation indicating that it is reissued from Supplement No. 1. Such reissued matter may also be indicated by the use of a reference mark shown preceding such matter and explained in the supplement in which it is used. When the latter method is used, the reference mark shall consist of a number within a square and the number shall be that of the original supplement from which the matter is reissued, for example, the reference mark **[1]** shall be used to indicate matter reissued from Supplement No. 1. The reference marks shall be explained in the following manner:

**[1]**—Reissued from Supplement No. 1.

**[2]**—Reissued from Supplement No. 2.

Such reference marks comprised of a number within a square shall be used only for the above purpose and shall not be used for any other purpose.

(2) *Matter reissued before its effective date.* When matter published in a supplement is brought forward as reissued matter in a subsequent supplement which bears a general effective date earlier than the effective date of such reissued matter, the effective date of such reissued matter shall be included in the reissued notation required by subparagraph (1) of this paragraph. For example, if Item 5-A published to become effective May 1, 1952 in Supplement No. 1 is brought forward without change in Supplement No. 2 (canceling Supplement No. 1) which bears a general effective date of April 15, 1952, Item 5-A shall bear the following notation indicating its effective date and that it is reissued matter:

Effective May 1, 1952. Reissued from Supplement No. 1.

When the supplement contains reissued matter to become effective after the general effective date of the supplement, the notation "(Except as otherwise provided herein)" shall be shown directly after the general effective date on the title page of the supplement.

(3) *Expired matter* When an item, rule, or other matter in a supplement has expired by its own terms and such supplement is canceled by a subsequent

supplement, the latter supplement shall identify, but not republish, the matter which has expired and shall show when it expired and the supplement in which it appeared when it expired. For example, if the expired matter is an item which formerly contained commodity rates, the item number and cancellation and an identifying portion of the commodity description should be shown with a statement reading substantially: "This item expired with \_\_\_\_\_ in Supplement No. \_\_\_\_\_." Such notation shall be shown in all successive reissues of the supplement.

(1) *Maximum supplemental matter permitted.* (1) Except as authorized in subparagraphs 2, 3, and 4 of this paragraph, a book tariff containing the number of pages stated in Column 1 of this subparagraph may have in effect at any time not more than the number of supplements shown directly opposite thereto in Column 2 of this subparagraph and all supplements in effect at any time to such tariff may contain in the aggregate not more than the aggregate number of pages indicated directly opposite thereto in Column 3 of this subparagraph.

Column 1	Column 2	Column 3
Number of pages in tariff	Number of effective supplements permitted	Aggregate number of pages permitted in aggregate of effective supplements
4 or less.....	None	None.
Over 4 but not over 12.....	1	4.
Over 12 but not over 16.....	1	(See Note 1.)
Over 16 but not over 80.....	2	(See Note 1.)
Over 80 but not over 200.....	3	(See Note 1.)
Over 200.....	4	(See Note 1.)

NOTE 1: 33¼ percent of the number of pages in the original tariff. Resulting fractions of a page shall be increased to a whole page.

In determining the number of pages in a tariff or an effective supplement, the title page of the tariff and the title pages of the supplements shall be counted in all instances, and every page of an effective supplement shall be counted regardless of whether the provisions on a particular page are in effect.

(2) The supplements (and the numbers of pages therein) authorized or required to be filed under the terms of the following sections shall be in addition to the number of supplements and volume of supplemental matter permitted by the terms of subparagraph (1) of this paragraph:

- Sec.  
 221.113 (d) (Cancellation supplement.)  
 221.121 (Suspension supplement.)  
 221.131 (Vacating supplement.)  
 221.140 (Provided the supplement contains only matter described in § 221.140.)  
 221.213 (c) (Take-over supplement issued by alternate agent.)  
 221.214 (b) (Take-over supplement issued by new principal agent.)  
 221.221 (Adoption supplement.)

(3) A supplement which has been canceled except as to matter suspended by the Board or a supplement suspended in full by the Board shall be in addition to the maximum number of supplements and supplement pages permitted by sub-

paragraph (1) of this paragraph. If, upon termination of the suspension, such supplements result in a greater number of effective supplements or supplement pages than permitted by subparagraph (1) of this paragraph, the tariff shall be brought into conformity with subparagraph (1) of this paragraph by the next amendment of the tariff issued subsequently to the termination of the suspension.

(4) When a tariff is continued in effect by reason of the Board's suspending an entire tariff, any supplements lawfully issued and filed during the suspension period to the tariff continued in effect by the suspension shall be in addition to the maximum number of supplements and supplement pages permitted by subparagraph (1) of this paragraph. If the maximum number of supplements or supplement pages permitted under subparagraph (1) of this paragraph is exceeded under this authority and the Board orders the cancellation of the suspended tariff, the tariff which was continued in effect by the suspension shall be brought into conformity with subparagraph (1) of this paragraph by a supplement filed within 120 days after the date of such order of the Board or such tariff shall be reissued within that time.

§ 221.113 *Reissuing and canceling tariffs; transferring matter to other tariffs*—(a) *One or more tariffs superseded by one new tariff.* (1) When one new tariff is issued to supersede one or more previously filed tariffs (of the same issuing carrier or agent) which are to have no further effect, such new tariff shall direct the cancellation of the tariff or tariffs to be superseded. Such cancellation shall specify the C. A. B. numbers of the tariff or tariffs to be canceled and shall be shown in the upper right hand corner of the title page of the new tariff (immediately below its C. A. B. number) in the following manner:

C. A. B. No. ----

cancels

C. A. B. No. ----

(2) If the tariff or tariffs to be canceled contain any rates, fares, or other tariff provisions which are to be canceled and not brought forward in the new tariff, the new tariff shall contain a notice reading substantially as follows:

#### NOTICE

Rates (or fares, charges, rules, ratings, as the case may be) formerly published in C. A. B. No. ---- but not brought forward herein are hereby canceled.

Such notice shall be published immediately following the table of contents and reference thereto shall be shown on the title page of the new tariff, immediately below the cancellation prescribed by subparagraph (1) above, in the following manner:

C. A. B. No. ----

cancels

C. A. B. No. ----

(See Notice on Page ---- hereof)

(b) *One tariff superseded by two or more new tariffs.* When two or more new tariffs are issued to supersede one previously filed tariff (of the same issu-



ing carrier or agent) which is to have no further effect, a supplement shall be issued to the tariff to be superseded and such supplement shall direct the cancellation of the tariff in the manner prescribed by §§ 221.112 (b) (3) and 221.113 (d) (2) and shall refer to the new tariffs in the manner required thereby. Each of the new tariffs shall direct the following cancellation of the tariff to be superseded (to be shown in the upper right hand corner of the title page of each new tariff immediately below its C. A. B. number)

C. A. B. No. -----  
cancels  
C. A. B. No. -----  
(to the extent shown in  
Supplement No. ----- thereto)

(c) *Transferring rates, fares or provisions from one tariff to another* When all or a portion of the rates, fares, or other provisions of a tariff are to be transferred to another tariff or other tariffs, such transfer shall be accomplished by the following amendments (except that this paragraph shall not apply when paragraphs (a) and (b) of this section are applicable)

(1) If no effective provisions are to remain in the tariff from which the provisions are transferred, the issuing carrier or agent shall issue a supplement thereto cancelling such tariff in its entirety in the manner prescribed by §§ 221.112 (b) (3) and 221.113 (d) (2) and stating where the transferred provisions will thereafter be found.

(2) If only a portion of a tariff's provisions are to be transferred, the tariff shall be amended (in the manner required by § 221.110) by specifically canceling the provisions to be transferred and, in connection with such cancellation, a reference shall be shown to the tariff or tariffs (specifying their C. A. B. numbers) to which the provisions are transferred.

(3) The tariff or tariffs to which the provisions are to be transferred shall be amended (in the manner prescribed by § 221.110) by adding the transferred provisions thereto effective on the same date as the date on which the cancellation of such provisions from the former tariff becomes effective. The publication effecting the addition of the transferred provisions shall refer to the former tariff in the following manner:

(i) If the publication to which the provisions are transferred is a new tariff (issued by the same issuing carrier or agent of the former tariff), it shall direct a partial cancellation of the former tariff and such cancellation shall be shown in the following manner (in the upper right hand corner of the title page of the new tariff immediately below its C. A. B. number)

C. A. B. No. -----  
cancels C. A. B. No. ----- to the extent shown  
in Supplement No. ----- (or, ----- Revised  
Page -----) thereto

(ii) If the publication to which the provisions are transferred is a new tariff (issued by an agent or carrier other than the issuing agent or carrier of the former tariff) or if the transferred provisions are added by supplement, revised page, or added original page to an existing

tariff (issued by the same or a different issuing carrier or agent), a reference to the former tariff shall be shown in connection with the added provisions in such supplement, revised page, original page, or new tariff and such reference shall read substantially:

These rates (or fares, rules, etc.) were formerly published in C. A. B. No. ----- issued by ----- and are canceled by Supplement No. ----- (or ----- Revised Page -----) thereto.

The latter notation, however, may be omitted in connection with the transferred provisions in a new tariff described above provided that a notation reading "(see Notice on Page ----- hereof)" is shown in the new tariff in the upper right hand corner of the title page (immediately below the C. A. B. number and any cancellation thereunder) and that the notice referred to is shown immediately following the table of contents of the new tariff and reads substantially:

#### NOTICE

Rates (or fares, rules, etc.) herein applying ----- (briefly identify transferred rates, etc.) were formerly published in C. A. B. No. ----- issued by ----- and are canceled therein by Supplement No. ----- (or ----- Revised Page -----) thereto.

(d) *Canceling tariff by supplement—*  
(1) *When permitted.* A supplement shall be issued to a tariff (including a loose-leaf tariff) for the purpose of canceling such tariff in its entirety when:

(i) All of the fares, rates, or other tariff provisions in such tariff are to be canceled entirely and are to have no further application; or

(ii) A later issue of such tariff failed to cancel such tariff as required by paragraph (a) of this section; or

(iii) Other paragraphs of this section require that a tariff be canceled by supplement, or

(iv) Suspended matter is to be canceled, under authority of the Board, from a tariff which has previously been canceled except as to such suspended matter.

(2) *Cancellation notice.* In addition to directing the cancellation of the tariff (by C. A. B. number) in the manner prescribed by § 221.112 (b) (3), such cancellation supplement shall contain a cancellation notice stating what disposition has been made of the rates, fares, or other provisions formerly published in the canceled tariff. When such rates, fares, or other provisions will thereafter be published in other tariffs, the notice shall refer to such other tariffs (by C. A. B. number) and, if reference is made to two or more tariffs, the notice shall briefly describe the respective rates, fares, or other provisions which will be found in each of such tariffs, for example:

#### CANCELLATION NOTICE

----- (title of tariff), C. A. B. No. -----, issued by ----- is hereby canceled.

See C. A. B. No. ----- issued by -----

for rates between ----- and -----  
See C. A. B. No. ----- issued by -----  
for rates between ----- and -----

If the canceled tariff contains any rates, fares, or other provisions which are to be canceled and not brought forward in the new tariffs, the following cancella-

tion statement shall be added to the above notice:

Rates (or fares, etc.) formerly published herein but not carried forward to the above tariffs are hereby canceled.

The cancellation notice in this subparagraph shall be published either in the body of the title page of the cancellation supplement (below the territorial application and above the issued and effective dates) or on the next page.

§ 221.114 *Amendment symbols to indicate changes in rates, fares and other provisions—*(a) *Uniform amendment symbols required.* All tariffs, supplements, original pages, and revised pages shall indicate the changes made thereby in existing rates, fares, charges, routings, ratings, rules, and other tariff provisions and shall indicate the character of each change, that is, whether it results in a reduction or an increase in fares, rates, or charges or is a change resulting in neither increase nor reduction. The changes and their character shall be indicated by the use of the following uniform amendment symbols and, except as provided in paragraph (b) of this section, shall be shown immediately in connection with and preceding each change:

(R) or ♂ to denote reductions.

(A) or ♠ to denote increases.

(C) or ▲ to denote changes which result in neither increases nor reductions.

(b) *Indicating general changes—*(1) *Changes of same character in all fares, rates, or charges.* When a change of the same character (either increase or reduction) is effected by all of the rates, fares, or charges in a tariff or supplement, or a page thereof, including a revised page or added original page, that fact and the character of such change may be indicated in distinctive type at the top of the title page of such tariff or supplement, or at the top of such page, as the case may be, in the following manner:

(Notation for title page of tariff or supplement)

ALL \*\* IN THIS ISSUE ARE \*\*\*\*

(Notation for other pages)

ALL \*\* ON THIS PAGE ARE \*\*\*\*

\*\*—show RATES, FARES, or CHARGES, whichever is appropriate.

\*\*\*\*—show INCREASES or REDUCTIONS, whichever is appropriate.

(2) *Changes of same character in substantial portion of rates, fares, or charges.* The notations prescribed in subparagraph (1) of this paragraph may be qualified by adding thereto the words "unless otherwise indicated" and such qualified notations may be used, in the manner described in subparagraph (1) of this paragraph, to indicate changes of the same character in a substantial portion but not all of the rates, fares, or charges in a tariff, supplement, or a page thereof, including a revised page or added original page. When this method is used to indicate such changes, any rates, fares, or charges which are exceptions to the qualified notation used shall be indicated by:

(i) Showing a bold-faced dot "●" or the symbol "(X)" in connection with and



preceding a rate, fare, or charge in which no change has been made, and

(ii) Using the proper amendment symbol prescribed in paragraph (a) of this section for the purpose of indicating the character of any changes which are not indicated by the notation used on the title page or at the top of the page, as the case may be.

(c) *Explanations and uniform use of symbols.* Explanations of the symbols prescribed in paragraphs (a) and (b) of this section shall be provided in the manner prescribed by § 221.37 and such symbols shall not be used for any other purpose.

(d) *Symbols and notations not to be brought forward.* When a symbol or notation prescribed by this section is used in a tariff, supplement, or page, such symbol or notation shall not be carried forward into reissues, supplements, or revised pages when the matter in connection with which they were used is reissued without change.

§ 221.115 *Reinstating canceled or expired tariff provisions.* Any rates, fares, rules, or other tariff provisions which have been canceled or which have expired may be reinstated only by republishing such provisions and posting and filing the tariff publications (containing such republished provisions) on lawful notice in the form and manner required by this part.

#### SUBPART I—SUSPENSION OF TARIFF PROVISIONS BY BOARD

§ 221.120 *Effect of suspension by Board—(a) Suspended matter not to be used.* A rate, fare, charge, or other tariff provision which is suspended by the Board, under authority of section 1002 (g) of the act shall not be used during the period of suspension specified by the Board's order.

(b) *Suspended matter not to be changed.* A rate, fare, charge, or other tariff provision which is suspended by the Board shall not be changed in any respect or withdrawn or the effective date thereof further deferred except by authority of an order or special tariff permission of the Board.

(c) *Suspension continues former matter in effect.* If a tariff publication containing matter suspended by the Board directs the cancellation of a tariff, supplement, or loose-leaf tariff page, or any portion thereof, which contains fares, rates, charges, or other tariff provisions sought to be amended by the suspended matter, such cancellation is automatically suspended for the same period insofar as it purports to cancel any tariff provisions sought to be amended by the suspended matter.

(d) *Matter continued in effect not to be changed.* A rate, fare, charge, or other tariff provision which is continued in effect as a result of a suspension by the Board shall not be changed during the period of suspension unless the change is authorized by order or special tariff permission of the Board except that such matter may be reissued without change during the period of suspension.

§ 221.121 *Suspension supplement—(a) To be filed immediately to either book or loose-leaf tariff.* Upon receipt

of an order of the Board suspending any tariff publication in part or in its entirety, the carrier or agent who issued such tariff publication shall immediately issue and file with the Board a consecutively numbered supplement for the purpose of announcing such suspension. Such supplement, herein referred to as a suspension supplement, is required to be filed to a loose-leaf tariff as well as a book tariff and shall conform fully with the provisions of this section.

(b) *Title page of suspension supplement.* The title page of a suspension supplement shall be constructed in the manner prescribed in § 221.112 (b) except that it shall not contain an effective date and it shall contain the suspension notice required by paragraph (c) of this section.

(c) *Suspension notice.* The title page of a suspension supplement shall contain a notice of suspension (to be shown immediately below the description of tariff contents and territory) which shall:

(1) Indicate what particular rates, fares, charges, or other tariff provisions are under suspension,

(2) State the date to which such tariff matter is suspended,

(3) State the Board's docket number and order number which suspended such tariff matter,

(4) Give specific reference to the tariffs (specifying their C. A. B. numbers) supplements, revised pages, original pages, items, etc. which contain the rates, fares, charges, or other tariff provisions continued in effect.

The following are illustrations of such notices of suspension:

(When a portion of the fares on a revised page are suspended)

#### SUSPENSION NOTICE

The fares applying between New York, N. Y., and Chicago, Ill., on 1st Revised Page 75 of this tariff are suspended to and including August 23, 1953 by Civil Aeronautics Board order Serial No. E----- in Docket No. ----- Such fares shall not be used on or before August 23, 1953. For fares between the above points continued in effect as a result of the suspension, see Original Page 75 of this tariff.

(When an item in a supplement is suspended)

#### SUSPENSION NOTICE

Item No. 10-B in Supplement No. 5 is suspended to and including August 23, 1953 by Civil Aeronautics Board order Serial No. E----- in Docket No. ----- The rates and other provisions in Item No. 10-B of Supplement No. 5 shall not be used on or before August 23, 1953. For rates continued in effect as a result of the suspension, see Item No. 10-A in Supplement No. 4.

(d) *Quote Board's order in part.* A suspension supplement shall quote the following portions of the Board's order of suspension (to be shown on the page following the title page)

(1) The heading of the order,  
(2) The portions describing the suspended matter,

(3) The paragraph naming the date to which such matter is suspended,

(4) The paragraph prohibiting changes in the suspended matter,

(5) The paragraph prohibiting changes in the matter continued in effect by the suspension.

(e) *Cancel reissue of suspended matter.* When the Board has suspended a loose-leaf tariff page or a supplement in whole or in part, it may occur that prior to receipt of the suspension order, the issuing carrier or agent has transmitted for filing a revised page or a supplement subsequent to that containing the suspended matter and such subsequent revised page or supplement reissues without change the matter suspended in the previous loose-leaf tariff page or supplement. In such circumstances, the suspension supplement required by this section shall:

(1) Cancel such reissued matter published in the subsequent revised page or supplement, and

(2) Amend the cancellation which such subsequent revised page or the title page of such subsequent supplement directs of the loose-leaf page or of the supplement containing the suspended matter. Such cancellation shall be amended so as to exclude cancellation of the suspended matter. The suspension supplement accomplishing such amendments shall be filed promptly since a page or supplement which cancels suspended matter without authority of the Board is subject to rejection.

§ 221.122 *Reissuing tariff publications suspended in part or containing matter continued in effect by suspension—(a) Loose-leaf tariff page suspended in part.* When a loose-leaf tariff page suspended in part is reissued, the reissue of such page shall conform with the following requirements:

(1) The revised page (reissue) shall not reproduce or bring forward the matter under suspension.

(2) The revised page (reissue) shall direct the cancellation of the partially suspended page except the portions thereof under suspension. Such page cancellation shall be set forth in substantially the manner shown in the following example:

2d Revised Page 10

cancels

1st Revised Page 10 (except portions under suspension in C. A. B. Docket No. ---).

(3) If the suspension has continued in effect tariff provisions on preceding issues of the page, the reissue of the page suspended in part shall bring forward without change those tariff provisions which were continued in effect by the suspension. In such cases, such reissue shall, in addition to directing the page cancellation required by subparagraph (2) of this paragraph, complete the cancellation of the page which contained the matter continued in effect by the suspension. Such cancellation shall be set forth in substantially the manner shown in the following example:

2d Revised Page 10

cancels

1st Revised Page 10 (except portions under suspension in C. A. B. Docket No. ---) and completes the cancellation of Original Page 10.

All subsequent revisions of the same page, which are issued after such reissue and which become effective during the period of suspension, shall bring forward unchanged the tariff provisions continued in effect by the suspension



and shall bear reference to the revision containing the suspended matter. Such reference shall be set forth immediately below the page number and cancellation in the manner shown in the following example:

3d Revised Page 10  
cancels

2d Revised Page 10  
(1st Revised Page 10 contains portions under suspension in C. A. B. Docket No. ----)

(b) *Reissuing a loose-leaf page continued in effect by suspension of entire revised page.* When the Board has suspended a revised page in its entirety and the prior revision (which is continued in effect by such suspension) is to be reissued, the reissue shall conform with the following requirements:

(1) The revised page (reissue) shall not reproduce or bring forward the matter under suspension.

(2) The revised page (reissue) shall bring forward without change those tariff provisions which are continued in effect by the suspension and shall cancel the page containing such provisions.

(3) The revised page (reissue) shall not direct any cancellation of the suspended page but shall contain a statement that such page is under suspension which shall be set forth (immediately below the page number and page cancellation) in the manner shown in the following example:

3d Revised Page 10  
cancels

1st Revised Page 10  
(2d Revised Page 10 is under suspension in C. A. B. docket No. ----)

All subsequent revisions of the same page, which are issued after such reissues and which become effective during the period of suspension, shall bring forward unchanged the tariff provisions continued in effect by the suspension and shall bear reference to the suspended revision to be set forth in the manner shown in the above example:

(c) *Supplement suspended in part.* When a supplement suspended in part is reissued, the reissue of such supplement shall conform to the following requirements:

(1) The supplement (reissue) shall not reproduce or bring forward the matter under suspension.

(2) The supplement (reissue) shall direct the cancellation of the partially suspended supplement except the portions thereof under suspension. Such supplement cancellation shall be set forth in the upper right hand corner of the title page of the reissue in substantially the manner shown in the following example:

Supplement No. 4  
to

C. A. B. No. 2  
(Cancels Supplement No. 2 except portions under suspension in C. A. B. Docket No. ----)

Supplements Nos. \*2, 3, and 4 are the only effective supplements.

\*—Contains only matter suspended in C. A. B. Docket No. ----.

(3) If the suspension has continued in effect tariff provisions in a prior supplement which is indicated as canceled by the partially suspended supplement, except as to the provisions continued in

effect by the suspension, the reissue of the partially suspended supplement shall bring forward unchanged the matter continued in effect by the suspension and the title page of such reissue shall, in addition to directing the supplement cancellation, complete the cancellation of the supplement containing the matter continued in effect by the suspension. Such cancellation shall be set forth in substantially the manner shown in the following example:

Supplement No. 4  
to  
C. A. B. No. 1

(Cancels Supplement No. 2 except portions under suspension in C. A. B. Docket No. ----, and completes the cancellation of Supplement No. 1).

Supplements Nos. \*2, 3, and 4 are the only effective supplements.

\*—Contains only matter suspended in C. A. B. Docket No. ----.

(d) *Tariff suspended in part.* When a tariff suspended in part (including a tariff having a supplement suspended wholly or in part) is reissued, the reissue of such tariff shall conform to the following requirements:

(1) The tariff (reissue) shall not reproduce or bring forward the matter under suspension.

(2) The tariff (reissue) shall direct the cancellation of the partially suspended tariff except the portions thereof under suspension. Such tariff cancellation shall be set forth (in the upper right-hand corner of title page of the reissue) in substantially the manner shown in the following example:

C. A. B. No. 3  
cancels

C. A. B. No. 2 (except portions under suspension in C. A. B. Docket No. ----)

(3) If the suspension has continued in effect tariff provisions which are published in the tariff containing the suspended matter, the reissue of such tariff shall bring forward such effective tariff provisions without change.

(4) If the tariff containing the suspended matter has canceled a preceding issue except provisions in such preceding issue which are continued in effect by reason of the suspension, the reissue of the partially suspended tariff shall, in addition to directing the cancellation required by subparagraph (2) of this paragraph, complete the cancellation of the tariff containing the provisions continued in effect by the suspension, and shall bring forward such provisions without change. Such tariff cancellation shall be set forth (in upper right hand corner of title page of the reissue) in substantially the manner shown in the following example:

C. A. B. No. 3  
cancels

C. A. B. No. 2 (except portions under suspension in C. A. B. Docket No. ----) and completes the cancellation of C. A. B. No. 1

(e) *Item, rule, or similar unit suspended in part.* When a numbered item, rule, or similar unit in a book tariff or supplement thereto is suspended in part, a reissue of such item, rule, or similar unit shall conform to the following requirements:

(1) The reissue shall not reproduce or bring forward the matter under suspension.

(2) The reissue shall direct the cancellation of the partially suspended item, rule, or similar unit except the portions thereof under suspension. Such cancellation shall be set forth in substantially the manner shown in the following example:

Item No. 10-B  
cancels

Item No. 10-A (except portions under suspension in C. A. B. Docket No. ----)

(3) If the suspension has continued in effect tariff provisions in preceding issues of the partially suspended item, rule, or similar unit, the reissue of the partially suspended item, rule, or similar unit shall bring forward without change the tariff provisions which were continued in effect by the suspension. In such cases, such reissue shall, in addition to directing the cancellation required by subparagraph (2) of this paragraph, complete the cancellation of the item, rule, or similar unit which contained the matter continued in effect by the suspension. Such cancellation shall be set forth in substantially the manner shown in the following example:

Item No. 10-B  
cancels

Item No. 10-A (except portions under suspension in C. A. B. Docket No. ----) and completes the cancellation of Item No. 10.

§ 221.123 *Reissue of matter continued in effect by suspension to be canceled upon termination of suspension.* When tariff provisions continued in effect by a suspension are reissued during the period of such suspension, the termination of the suspension and the coming into effect of the suspended matter will not accomplish the cancellation of such reissued matter. In such circumstances, prompt action shall be taken by the issuing agent or carrier to cancel such reissued provisions upon the termination of the suspension in order that they will not conflict with the provisions formerly under suspension.

#### SUBPART J—VACATING THE SUSPENSION OF TARIFF MATTER

§ 221.130 *Tariff must be amended to make suspended matter effective.* (a) When the Board vacates an order which suspended certain tariff matter in full or in part, such matter will not become effective until the termination of the suspension period unless the issuing agent or carrier amends the pertinent tariffs in the manner prescribed in this subpart (except as provided in paragraph (b) of this section)

(b) If the Board vacates its suspension order prior to the original published effective date of the tariff provisions whose suspension is vacated, such provisions will become effective on their published effective date without filing a vacating supplement as required by this subpart.

§ 221.131 *Vacating supplement.* (a) Subject to §§ 221.132 and 221.133, the tariff, supplement, page, item, rule, fare, rate, or other tariff provision whose suspension has been vacated by an order of



the Board may be made effective prior to the termination of the suspension period only by issuing and filing to the tariff containing the suspended matter a supplement (herein referred to as a vacating supplement) which shall conform with the following requirements:

(1) Such vacating supplement shall be issued on not less than one day's notice unless otherwise provided by the Board's vacating order.

(2) Such vacating supplement may be filed to a loose-leaf tariff as well as a book tariff.

(3) Such vacating supplement shall contain a vacating notice which shall specify the tariff matter whose suspension is vacated and shall state the specific date on which such matter will become effective. Such date shall be the same effective date as the effective date of the vacating supplement and must be earlier than the date to which the tariff matter was suspended. The vacating notice shall be published on the title page of the supplement (immediately below the description of contents and territory) or at the top of the next page.

(4) Such vacating supplement shall direct the cancellation of the suspension supplement if all suspended matter covered by the suspension supplement is being vacated.

(5) Such vacating supplement shall contain no tariff provisions other than those specifically authorized to be included therein by this section and § 221.132.

(6) The title page of such vacating supplement shall contain reference to this subpart and to the Board's vacating order to be shown (immediately above the issued and effective dates) in the following manner:

Issued under authority of Subpart J of Economic Regulations and Order No. ---- in Docket No. ---- of the Civil Aeronautics Board.

§ 221.132 *When tariff amendments in addition to vacating supplement are required—(a) Notice and effective date.* All amendments made pursuant to this section shall be filed on not less than one day's notice, unless otherwise provided by the Board's vacating order, and shall bear the same effective date as the effective date of the vacating supplement filed pursuant to § 221.131, except as otherwise provided in paragraph (h) of this section, and except that the effective date of any tariff provisions other than the vacated matter shall not be advanced under this authority. All tariff amendments made pursuant to this section which are not published in the vacating supplement shall bear the reference required by § 221.131 (a) (6).

(b) *When a loose-leaf page suspended in part has been reissued.* When a loose-leaf page is suspended in part and such suspension is vacated in its entirety by the Board but, prior to such vacating of the suspension, the page has been canceled (except as to matter under suspension) by a subsequent revision of that page, the following tariff amendments shall be made in addition to issuing and filing a vacating supplement pursuant to § 221.131.

(1) A consecutive revision in the series of the page containing the suspended matter shall be issued which shall (i) republish the suspended matter without change, (ii) cancel the matter continued in effect by the suspension (if published on the preceding revisions of the page) and (iii) complete the cancellation of the page which contained the suspended matter. The latter cancellation shall be set forth (below the C. A. B. and page numbers in the upper right hand corner of the page) in the manner shown in the following example:

3d Revised Page 20  
cancels  
2d Revised Page 20  
(and completes the cancellation of 1st Revised Page 20)

In the above example, the 3d revision (filed pursuant to this paragraph) cancels the 2d revision and completes the cancellation of the 1st revision (which was previously canceled by the 2d revision except as to the suspended matter)

(c) *When a loose-leaf page continued in effect by suspension of entire revised page has been reissued.* When an entire revised page has been suspended and the Board fully vacates such suspension but, prior to such vacating of the suspension, the page continued in effect by such suspension has been revised, the following tariff amendments shall be made in addition to issuing and filing the vacating supplement pursuant to § 221.131.

(1) A consecutive revision in the series of the suspended page shall be issued and filed which shall (i) republish the suspended tariff provisions without change, (ii) cancel the reissue of the tariff provisions which were continued in effect by the suspension, and (iii) and include the cancellation of the revised page whose suspension has been vacated.

(d) *When provisions continued in effect by suspension of supplement (in full or part) have been reissued in a supplement.* When the Board has suspended, in full or in part, a supplement to a book tariff and such suspension is vacated by the Board but (prior to such vacating of the suspension) all or part of the provisions which were continued in effect by the suspension have been reissued in a subsequent supplement to the same tariff, the vacating supplement shall include the following amendments:

(1) The vacating supplement shall cancel such reissue of the provisions continued in effect by the suspension.

(2) The vacating supplement shall republish without change the respective suspended provisions which are to supersede the provisions canceled pursuant to subparagraph (1) of this paragraph and shall cancel such suspended provisions from the supplement which was under suspension.

(e) *When partially suspended item, rule, or similar unit in a book tariff or supplement has been reissued in a supplement.* When the Board has suspended, in part, a numbered item, rule, or similar unit in a book tariff or supplement and such suspension is fully vacated by the Board but (prior to such vacating of the suspension) the partially suspended item, rule, or similar unit has been canceled except as to the suspended

matter by a subsequent issue of such item, rule, or unit, the vacating supplement shall amend such items, rules, or similar units as specified below:

(1) The tariff provisions whose suspension is vacated shall be republished without change.

(2) The tariff provisions which were continued in effect by such suspension shall be canceled.

(3) The cancellation of the partially suspended item, rule, or similar unit shall be completed in the manner shown in the following example:

Item No. 10-C  
cancels  
Item No. 10-B  
(and completes the cancellation of  
Item No. 10-A)

In the above example, Item No. 10-C in the vacating supplement directs the cancellation of the current Item No. 10-B and completes the cancellation of Item No. 10-A (which has been previously canceled by Item No. 10-B except as to the suspended matter)

(f) *When tariff continued in effect by suspension has been amended by supplement or loose-leaf page.* When the Board fully vacates the suspension of an entire tariff but, prior to such action, the tariff which was continued in effect by the suspension has been amended by supplement or loose-leaf page, the following tariff amendments shall be made in addition to issuing and filing the vacating supplement pursuant to § 221.131.

(1) If the suspended tariff is a book tariff, the vacating supplement issued to such tariff shall set forth as reissued matter (without change) any changes or additions which were lawfully published in the tariff continued in effect by the suspension but which are not included in the suspended tariff.

(2) If the suspended tariff is a loose-leaf tariff, loose-leaf pages shall be issued thereto and such pages shall set forth as reissued matter (without change) any changes or additions which were lawfully published in the tariff continued in effect by the suspension but which are not included in the suspended tariff.

(g) *When tariff continued in effect by suspension has been reissued.* When the Board fully vacates the suspension of an entire tariff but, prior to such action, the tariff which was continued in effect by such suspension has been reissued, the following tariff amendments shall be made in addition to filing the vacating supplement pursuant to § 221.131.

(1) A supplement shall be issued and filed to the tariff containing the reissued tariff provisions which were continued in effect by the suspension and such supplement shall cancel that tariff in its entirety.

(2) Any changes or additions which have been lawfully published in the tariff specified in subparagraph (1) of this paragraph but which are not included in the suspended tariff shall be republished:

(i) As reissued matter (without change) in the vacating supplement issued to the suspended tariff if the latter is a book tariff, or



(ii) As reissued matter (without change) in revised pages or additional original pages issued to the suspended tariff if the latter is a loose-leaf tariff.

(h) *When a tariff suspended in part has been reissued.* When a tariff has been suspended in part (or has a supplement suspended in full or in part) and the Board fully vacates such suspension but, prior to the vacating of the suspension, a new tariff has been issued which directs the cancellation of the partially suspended tariff (except as to the suspended provisions) the following tariff amendments are required in order to make the suspended tariff provisions effective under authority of the Board's vacating order:

(1) *When the suspended tariff provisions are to be made effective prior to the effective date of such new tariff,* a vacating supplement shall be issued and filed to the partially suspended tariff together with any amendments required by other paragraphs of this section. Also, the new tariff shall be amended in the manner prescribed by § 221.110 for the purpose of establishing the following amendments effective on the effective date of the new tariff:

(i) The tariff cancellation shown on the title page of the new tariff shall be amended so that it fully cancels the former tariff by C. A. B. number instead of canceling it "except portions under suspension in C. A. B. Docket No. —"

(ii) The tariff provisions whose suspension has been vacated in the former tariff shall be republished without change in the new tariff.

(iii) The reissue of the tariff provisions which were continued in effect by the suspension shall be canceled from the new tariff.

(2) *When the suspended tariff provisions are to be made effective on or after the effective date of such new tariff,* a vacating supplement shall not be issued to the partially suspended tariff but a supplement shall be issued and filed to such tariff which shall cancel the suspended provisions, refer to such provisions as republished in the new tariff, and complete the cancellation of the tariff. The latter cancellation shall be set forth in the upper right hand corner of the supplement's title page (below the supplement and C. A. B. numbers) in the manner shown in the following example:

Supplement No. 3

to

C. A. B. No. 6

(completes the cancellation of C. A. B. No. 6)

Also, the new tariff shall be amended simultaneously in the manner prescribed by § 221.110 for the purpose of accomplishing the following amendments:

(i) The tariff provisions in the former tariff whose suspension has been vacated by the Board shall be republished without change in the new tariff.

(ii) The reissue of the tariff provisions which were continued in effect by such suspension shall be canceled from the new tariff.

§ 221.133 *When Special Tariff Permission is required to file amendments making suspended matter effective pursuant to vacating order* When tariff

provisions continued in effect by a suspension have been reissued prior to the Board's vacating the suspension and § 221.132 does not authorize the amendments necessary to cancel such provisions in order to prevent a conflict with the tariff provisions whose suspension is being vacated, a vacating supplement shall not be issued and filed. In such circumstances, the issuing agent or carrier shall file an application for Special Tariff Permission specifically setting forth the amendments which are proposed to be issued and filed on one day's notice (unless the Board's vacating order provides otherwise) for the purpose of making the suspended matter effective and canceling the reissue of the tariff provisions continued in effect by the suspension. Upon approval of such application, the issuing agent or carrier shall then file the amendments authorized thereunder.

#### SUBPART K—CANCELING SUSPENDED MATTER IN COMPLIANCE WITH BOARD'S ORDER

§ 221.140 *Notice required when canceling suspended matter in compliance with Board's order* When the Board orders the cancellation of rates, fares, charges, rules, or other tariff provisions theretofore suspended by the Board, the tariff amendments which accomplish such cancellation shall be filed on not less than one day's notice to the Board and the public unless otherwise provided by the Board's order. The tariff amendments which accomplish such cancellation of suspended matter shall bear reference to this subpart and the Board's order in the following manner:

Issued in compliance with Subpart K of Economic Regulations and Order No. ---- in Docket No. ---- of the Civil Aeronautics Board.

§ 221.141 *Cancellation of suspended matter subsequent to date to which suspended—(a) Endeavor to cancel prior to expiration of suspension period.* When an order of the Board requires the cancellation of tariff provisions which were suspended by the Board and such cancellation is required to be made effective on or before a date which is subsequent to the date to which such tariff provisions were suspended, the issuing carrier or agent shall, if possible, make the cancellation effective prior to the date to which such tariff provisions were suspended.

(b) *When necessary to republish matter continued in effect by suspension.* If suspended tariff provisions become effective upon expiration of their suspension period and thereby accomplish the cancellation of the tariff provisions continued in effect by the suspension, the issuing agent or carrier shall republish and reestablish such canceled tariff provisions effective simultaneously with the cancellation of the suspended provisions in compliance with the Board's order. The tariff amendments which reestablish such canceled tariff provisions shall bear reference to this subpart and the Board's order in the manner shown in § 221.140.

#### SUBPART L—INDEX OF TARIFFS

§ 221.150 *When index required.* Each carrier shall issue, post, and file an index

of the tariffs which have been filed with the Board by such carrier or for its account when:

(a) The carrier has ten or more tariffs which it has issued and filed in its own name with the Board and such tariffs are either effective or are to become effective, or

(b) The carrier is shown as a participating carrier under authority of its power of attorney or concurrence in three or more tariffs issued by agents or other carriers, and such participation is either effective or is filed to become effective.

§ 221.151 *Index to be issued and filed as a tariff.* The index of tariffs required by this subpart shall bear a consecutive C. A. B. number in the tariff series of the issuing carrier and shall be prepared, posted, filed, and amended in the form and manner prescribed for a tariff except:

(a) Such index of tariffs shall contain only the following contents:

(1) Title page.

(2) Correction number check sheet (if index is in loose-leaf form).

(3) Explanations of abbreviations, reference marks, and symbols.

(4) A list of tariffs on file with the Board which are in effect or are to become effective and which the carrier has issued in its own name or in which the carrier is shown as a participating carrier.

(b) Such index of tariffs shall be issued in the name of and filed by the carrier for whom it is published and shall not be issued and filed by the carrier's agent.

(c) Such index of tariffs (including supplements or loose-leaf pages issued thereto) shall bear an issued date but shall not bear an effective date. Such index of tariffs (including supplements or loose-leaf pages issued thereto) shall be transmitted to the Board promptly upon issuance. The requirement that tariff publications shall be filed on thirty days' notice is not applicable to such index of tariffs (including amendments thereof).

(d) Such index of tariffs shall list both passenger tariffs and property tariffs and each carrier may have only one effective index of tariffs.

(e) The title page shall contain the following statement (below the title of the index)

THIS INDEX CONTAINS A LIST OF TARIFFS ISSUED BY OR ON BEHALF OF ----- (show issuing carrier's name)

§ 221.152 *Arrangement of lists of tariffs.* When the carrier issuing the index of tariffs required by this subpart issues or participates in both passenger tariffs and property tariffs, the list of tariffs in such carrier's index shall be divided into two sections; the first section shall list the passenger tariffs only and the second section shall list the property tariffs only. When the carrier issues or participates in either passenger tariffs or property tariffs (but not both) all tariffs shall be listed in one section. The tariffs listed shall be shown in the following order in each section:

(a) The tariffs issued in the name of and by the carrier issuing the index



(listed in numerical order by C. A. B. number)

(b) The tariffs issued in the name of and by an agent or agents and in which the carrier (issuing the index) is shown as a participating carrier under authority of its power of attorney (the names of the agents shall be listed alphabetically and each agent's tariffs shall be listed numerically by C. A. B. number under that agent's name)

(c) The tariffs issued by other carriers and in which the carrier (issuing the index) is shown as a participating carrier under authority of its concurrence (the names of the carriers issuing such tariffs shall be listed alphabetically and the tariffs of each such carrier shall be listed in numerical order by C. A. B. number under that carrier's name)

§ 221.153 *Information to be shown in list of tariffs.* The index of tariffs required by this subpart shall show the following information for each tariff listed therein (preferably in tabular form)

- (a) Name of issuing carrier or agent.
- (b) C. A. B. number.
- (c) C. A. B. number of tariff canceled by tariff listed.
- (d) Effective date.
- (e) Title of tariff.
- (f) Description of rates, fares or other contents of tariff (as shown on its title page)
- (g) Where tariff applies from (as shown on its title page)
- (h) Where tariff applies to (as shown on its title page)

When supplements or loose-leaf pages are issued to a tariff after it has been filed with the Board which result in the information in the index of tariffs becoming inaccurate, such index shall be amended to reflect the correct information.

§ 221.154 *Index to be maintained current.* The index of tariffs required by this subpart shall be maintained current. Additions, changes, or cancellations in an index of tariffs shall be made by reissue or amendment thereof to be issued no later than the effective date of the tariffs or tariff amendments which occasioned such additions, changes, or cancellations in the index of tariffs.

#### SUBPART M—FILING TARIFF PUBLICATIONS WITH BOARD

§ 221.160 *Required notice—(a) Thirty days' notice required.* Unless otherwise authorized by the Board, all tariffs, supplements, and loose-leaf tariff pages and all fares, rates, charges, ratings, routings, rules, amendments, and other tariff provisions therein (including initial rates, fares, charges, and tariff provisions) shall be filed with the Board at least thirty days before the date upon which they are to become effective, regardless of whether or not any changes are effected thereby.

(b) *When portion of publication is filed on less than thirty days' notice.* Each tariff, supplement, or loose-leaf tariff page which consists partly of tariff matter authorized by the Board to be filed on less than thirty days' notice shall:

(1) Bear a general effective date which shall allow at least thirty days' notice,

(2) Show directly in connection with such general effective date the following notation: "(except as otherwise provided herein)"

(3) Show in connection with the matter filed on less than thirty days' notice the specific effective date of such matter and reference to the order, regulation, or special tariff permission of the Board authorizing the filing on such notice. Such reference shall be shown (immediately following the effective date) in the manner required by such order, regulation, or special tariff permission, for example:

Effective: ----- Issued on ---- days' notice under Special Tariff Permission No. ---- of the Civil Aeronautics Board.

(c) *Computing number of days' notice.* A tariff publication shall be deemed to be filed only upon its actual receipt by the Board, and any required period of notice shall commence to run only from such actual receipt.

§ 221.161 *Delivering tariff publications to Board.* Tariff publications will be received for filing only by delivery thereof to the Board through normal mail channels, or by delivery thereof directly to that office of the Board charged with the responsibility of maintaining the Board's official file of tariffs. Tariff publications will be received for filing only during the established business hours of the Board. No tariff publication will be accepted by the Board unless it is delivered to the Board free from all charges, including claims for postage.

§ 221.162 *Number of copies required.* Three copies of each tariff, supplement, loose-leaf tariff page, index of tariffs, and adoption notice to be filed shall be sent to the Civil Aeronautics Board, Tariffs Section, Washington 25, D. C. All such copies shall be included in one package and shall be accompanied by a letter of tariff transmittal (§ 221.163)

§ 221.163 *Letter of tariff transmittal.* All tariff publications (including indexes of tariffs and adoption notices) filed with the Board shall be accompanied by a letter of tariff transmittal in the form prescribed in § 221.230. Each letter of transmittal may include one or more tariff publications but passenger tariff publications shall not be included in the same letter of tariff transmittal with property tariff publications. If the filing carrier or agent desires a receipt for the filing, the letter of tariff transmittal shall be sent in duplicate and one copy thereof showing the date of receipt by the Board will be returned to the sender.

§ 221.164 *Concurrences or powers of attorney not previously filed to accompany tariff transmittal.* When a tariff publication is filed on behalf of a carrier participating therein under authority of its concurrence or power of attorney, such concurrence or power of attorney shall, if not previously filed with the Board, be transmitted with such tariff publication submitted for filing and shall be listed in the letter of tariff transmittal.

§ 221.165 *Explanations of tariff changes to be shown in the transmittal*

*or to accompany tariff transmittal.* When a tariff publication is filed with the Board which contains changes, or new matter, the issuing carrier or agent shall state such changes and additions, and reasons therefor in the tariff transmittal, or accompany the tariff transmittal with a detailed statement showing such changes and additions and the reasons therefor.

§ 221.166 *Explanation of missing C. A. B. numbers to accompany tariff transmittal.* Section 221.30 (a) requires a carrier or agent to file tariffs under consecutive C. A. B. numbers. However, the Board will accept a tariff bearing a C. A. B. number which is not consecutive and results in an unused C. A. B. number intervening since the last previously filed tariff: *Provided*, That a letter accompanies the tariff transmittal explaining why the C. A. B. number of the tariff is not consecutive to the last previously filed tariff and stating whether or not the missing C. A. B. number will be used on a future tariff.

§ 221.167 *Posting copies to be furnished participating carriers at time of filing.* At the same time that a tariff publication is transmitted to the Board for filing, the issuing carrier or agent shall send sufficient copies of the tariff publication for posting purposes to all participating carriers (see Subpart N of this part)

§ 221.168 *Withdrawal or substitution of filed tariff publications prohibited.* A tariff publication filed with the Board will not be surrendered or returned (except as provided in § 221.181) and no substitution thereof will be permitted.

#### SUBPART N—POSTING TARIFF PUBLICATIONS FOR PUBLIC INSPECTION

§ 221.170 *Posting at principal or general office.* Each carrier shall post for public inspection and maintain permanently at its principal or general office a complete file of all tariff publications issued by such carrier and of those tariff publications in which such carrier participates under authority of its concurrence or power of attorney. Such file shall contain all tariff publications which are in effect, all tariff publications which have been issued but are not yet effective, and all canceled tariff publications.

§ 221.171 *Posting at depots, stations, terminals, or offices, other than principal or general office.*

(a) Each carrier shall post for public inspection and maintain a file of its tariff publications at each depot, station, terminal, or office where:

- (1) The carrier receives passengers for transportation, or
- (2) Transportation of passengers by the carrier is sold by or on behalf of the carrier, or
- (3) The carrier receives property for transportation or delivers property which it has transported.

(b) The file of tariff publications posted for public inspection pursuant to paragraph (a) of this section shall contain:

(1) All tariff publications issued by the carrier or in which the carrier par-



ticipates under authority of its concurrence or power of attorney and which are applicable at, to, or from the point where the respective depot, station, terminal, or office is located,

(2) All such tariff publications which are in effect, which have been issued but are not yet effective, and all canceled tariff publications, except that those which have been completely canceled for two years or more are not required to be retained in such files.

(3) Passenger tariff publications shall be posted and filed at locations specified in paragraph (a) (1) and (2) of this section and property tariff publications shall be posted and filed at locations specified in paragraph (a) (3) of this section.

§ 221.172 *What constitutes posting.* A tariff publication shall be deemed to be posted for public inspection only.

(1) When it is properly filed in the carrier's tariff file which is available and conveniently accessible for inspection by any person, and

(2) When two or more signs conspicuous to the public and reading substantially as follows are placed in different locations in each depot, station, terminal, or office where the tariff publication is required to be posted for public inspection:

The tariffs of \_\_\_\_\_  
(Show carrier's name)  
are available in this \_\_\_\_\_  
(Office, etc.)  
for examination by any person without giving any reason therefor.

§ 221.173 *Assisting public.* Employees of the carrier shall give any person any desired information contained in the tariff publications posted for public inspection, assist seekers of information therefrom, and afford any person opportunity to examine such tariff publications without requiring such person to assign any reason for such examination.

#### SUBPART O—REJECTION OF TARIFF PUBLICATIONS

§ 221.180 *Board's authority to reject.* Under the terms of section 403 (a) of the act, the Board is empowered to reject any tariff publication which is not consistent with section 403 of the act or with the regulations in Part 221 of the Board's Economic Regulations.

§ 221.181 *Notification of rejection.* When a tariff publication is rejected, the issuing carrier or agent thereof will be notified that the publication is rejected and of the reason for such rejection. The rejected publication will not be returned to the issuing carrier or issuing agent.

§ 221.182 *Rejected publication is void and must not be used.* A tariff publication rejected by the Board is void and is without any force or effect whatsoever. Such rejected tariff publication must not be used.

§ 221.183 *Tariff publication issued in lieu of rejected publication.* When a publication is rejected by the Board, the number which it bears must not be again used. Such publication must not thereafter be referred to as canceled or

amended but a publication that is issued in lieu of such rejected publication shall bear the following notation (to be shown in the manner described in paragraphs (a), (b) and (c) of this section)

(Issued in lieu of \_\_\_\_\_ rejected by C. A. B.)  
(Show number of rejected publication)

(a) If the rejected publication is a tariff, the tariff which is issued in lieu thereof shall show the above required notation under its C. A. B. number on the title page in the manner shown in the following example:

C. A. B. No. 3  
(Issued in lieu of C. A. B. No. 2  
rejected by C. A. B.)  
cancels  
C. A. B. No. 1

(b) If the rejected publication is a loose-leaf tariff page, the page which is issued in lieu thereof shall show the required notation under the page number in the manner shown in the following examples:

(1) When new page is issued in lieu of a rejected original page:

1st Revised Page 10  
(Issued in lieu of Original Page 10  
rejected by C. A. B.)

(2) When new page is issued in lieu of a rejected revised page:

3d Revised Page 10  
(Issued in lieu of 2d Revised Page 10  
rejected by C. A. B.)  
cancels  
1st Revised Page 10

(c) If the rejected publication is a supplement, the supplement which is issued in lieu thereof shall show the required notation under the supplement number in the manner shown in the following example:

Supplement No. 3  
(Issued in lieu of Supplement No. 2  
rejected by C. A. B.)  
to  
C. A. B. No. 1  
(Cancels Supplement No. 1)

Supplement No. 3 is the only effective supplement.

#### SUBPART P—SPECIAL TARIFF PERMISSION TO FILE ON LESS THAN THIRTY DAYS' NOTICE

§ 221.190 *Board's authority to grant Special Tariff Permission.* The Board is authorized when actual emergency or real merit is shown, to permit changes in rates, fares, or other tariff provisions on less than the thirty days' notice required by section 403 of the act.

(a) The desire to meet rates, fares, or other tariff provisions of a competing carrier which have been filed on thirty days' notice will not of itself be regarded as good cause for permitting changes in rates, fares or other tariff provisions on less than thirty days' notice.

(b) Clerical or typographical errors in tariff publications constitute good cause for applying to the Board for Special Tariff Permission to file on less than thirty days' notice the tariff changes necessary to correct such errors. Each application for Special Tariff Permission based on such grounds shall plainly specify the errors and contain a complete statement of all the attending facts

and circumstances, and such application shall be presented to the Board with reasonable promptness after issuance of the defective tariff publication.

(c) The fact that the Board has newly authorized a carrier to perform air transportation constitutes good cause for applying to the Board for Special Tariff Permission to file on less than thirty days' notice the fares, rates, and other tariff provisions covering such newly authorized transportation.

(d) When a formal order of the Board requires the filing of tariff matter or publications on a stated number of days' notice, an application for Special Tariff Permission to file on less notice will not be approved. In any such instance a petition for modification of the order should be filed in the formal docket.

(e) Applications for Special Tariff Permission to file rates, fares, or other tariff provisions on less than thirty days' notice shall be made only by the issuing carrier or agent authorized to issue and file the proposed tariff publication. Such application by the issuing carrier or agent will constitute application on behalf of all carriers participating in the proposed rates, fares, or other tariff provisions.

#### § 221.191 *How to prepare and file applications for Special Tariff Permission—*

(a) *Form.* Each application for Special Tariff Permission to file rates, fares, or other tariff provisions on less than thirty days' notice shall be prepared in the form prescribed in § 221.231 and shall show all of the information required by that section.

(b) *Number of copies and place of filing.* The original and one copy of each such application for Special Tariff Permission, including all exhibits thereto and amendments thereof, shall be sent to the Civil Aeronautics Board, Tariffs Section, Washington 25, D. C.

§ 221.192 *Special Tariff Permission to be used in its entirety as granted.* Each Special Tariff Permission to file rates, fares, or other tariff provisions on less than thirty days' notice shall be used in its entirety as granted. If it is not desired to use the permission as granted, and lesser or more extensive or different permission is desired, a new application for Special Tariff Permission conforming with §§ 221.191 and 221.231 in all respects and referring to the previous permission shall be filed.

#### SUBPART Q—WAIVER OF TARIFF REGULATIONS

§ 221.195 *Applications for waiver of tariff regulations.* Applications for waiver or modification of any of the requirements of part 221 or for modification of section 403 with respect to the filing and posting of tariffs shall be made by the issuing carrier or issuing agent.

§ 221.196 *Form of application for waivers.* Applications for waivers shall be in the form of a letter addressed to the Civil Aeronautics Board, Tariff Section, Washington 25, D. C. and shall:

(a) Specify (by section and paragraph) the particular regulation which the applicant desires the Board to waive,

(b) Show in detail how the proposed provisions will be published in the tariff



publication or other document under authority of such waiver if granted (submitting exhibits of the proposed publication where necessary to clearly show this information)

(c) Set forth all facts and circumstances on which the applicant relies as warranting the Board's granting the authority requested. No tariff publication or other document shall be filed pursuant to such application prior to the Board's granting the authority requested.

#### SUBPART R—GIVING AND REVOKING CONCURRENCES TO CARRIERS

§ 221.200 *Method of giving concurrence*—(a) *Prescribed form of concurrence*. A concurrence prepared in accordance with the form set forth in § 221.232 shall be used by a carrier to give authority to another carrier to issue and file with the Board tariff publications which contain joint rates, fares, or charges, including provisions governing such rates, fares, or charges, applying to, from, or via points served by the carrier giving the concurrence. A concurrence shall not be used as authority to publish joint rates, fares, or charges in which the carrier to whom the concurrence is given does not participate, and it shall not be used as authority to publish local rates, fares, or charges.

(b) *Number of copies*. Each concurrence shall be prepared in triplicate. The original of each concurrence shall be filed with the Board, the duplicate thereof shall be given to the carrier in whose favor the concurrence is issued, and the third copy shall be retained by the carrier who issued the concurrence.

(c) *Conflicting authority to be avoided*. Care should be taken to avoid giving authority to two or more carriers which, if used, would result in conflicting or duplicate tariff provisions.

§ 221.201 *Method of revoking concurrence*—(a) *Prescribed form of revocation notice*. A concurrence may be revoked by filing with the Board in the manner specified in this section a Notice of Revocation of Concurrence prepared in accordance with the form set forth in § 221.233.

(b) *Sixty days' notice required*. Such Notice of Revocation of Concurrence shall be filed on not less than sixty days' notice to the Board. A Notice of Revocation of Concurrence will be deemed to be filed only upon its actual receipt by the Board, and the period of notice shall commence to run only from such actual receipt.

(c) *Number of copies*. Each Notice of Revocation of Concurrence shall be prepared in triplicate. The original thereof shall be filed with the Board and, at the same time that the original is transmitted to the Board, the duplicate thereof shall be sent to the carrier to whom the concurrence was given. The third copy shall be retained by the carrier issuing such notice.

(d) *Amendment of tariffs when concurrence revoked*. When a concurrence is revoked, a corresponding amendment of the tariff or tariffs affected shall be made by the issuing carrier of such tariffs on not less than thirty days' notice to become effective not later than the

effective date stated in the Notice of Revocation of Concurrence. In the event of failure to so amend the tariff or tariffs, the provisions therein shall remain applicable until lawfully canceled.

§ 221.202 *Method of withdrawing portion of authority conferred by concurrence*. If a carrier desires to issue a concurrence conferring less authority than a previous concurrence given to the same carrier, the new concurrence shall not direct the cancellation of such previous concurrence. In such circumstances, such previous concurrence shall be revoked by issuing and filing a Notice of Revocation of Concurrence in the form and manner prescribed by § 221.201. Such revocation notice shall include reference to the new concurrence, "(see Concurrence No. \_\_\_\_)" to be shown at the end of the body of the document.

#### SUBPART S—GIVING AND REVOKING POWERS OF ATTORNEY TO AGENTS

§ 221.210 *Method of giving power of attorney*—(a) *Prescribed form of power of attorney*. A power of attorney prepared in accordance with the form set forth in § 221.234 shall be used by a carrier to give authority to an agent and such agent's alternate to issue and file with the Board tariff publications which contain local or joint rates, fares, or charges, including provisions governing such rates, fares, or charges, applicable via and for account of such carrier. Only an individual person may be given authority as an agent or alternate agent and powers of attorneys shall not be given to corporations or similar entities. The authority conferred in a power of attorney shall not be delegated to another person by the agent or alternate agent named therein.

(b) *Number of copies*. Each power of attorney shall be prepared in triplicate. The original of each power of attorney shall be filed with the Board, the duplicate thereof shall be given to the agent in whose favor the power of attorney is issued, and the third copy shall be retained by the carrier who issued the power of attorney.

(c) *Conflicting authority to be avoided*. In giving powers of attorney care should be taken to avoid giving authority to two or more agents which, if used, would result in conflicting or duplicate tariff provisions.

§ 221.211 *Method of revoking power of attorney*—(a) *Prescribed form of revocation notice*. A power of attorney may be revoked only by filing with the Board in the manner specified in this section a Notice of Revocation of Power of Attorney prepared in accordance with the form set forth in § 221.235.

(b) *Sixty days' notice required*. Such Notice of Revocation of Power of Attorney shall be filed on not less than sixty days' notice to the Board. A Notice of Revocation of Power of Attorney will be deemed to be filed only upon its actual receipt by the Board, and the period of notice shall commence to run only from such actual receipt.

(c) *Number of copies*. Each Notice of Revocation of Power of Attorney shall be prepared in triplicate. The original thereof shall be filed with the Board and,

at the same time that the original is transmitted to the Board, the duplicate thereof shall be sent to the agent in whose favor the power of attorney was issued (except, if the alternate agent has taken over the tariffs, the duplicate of the Notice of Revocation of Power of Attorney shall be sent to the alternate agent). The third copy of the notice shall be retained by the carrier.

(d) *Amendment of tariffs when power of attorney revoked*. When a power of attorney is revoked, a corresponding amendment of the tariff or tariffs affected shall be made by the issuing agent of such tariffs on not less than thirty days' notice to become effective not later than the effective date stated in the Notice of Revocation of Power of Attorney. In the event of failure to so amend the tariff or tariffs, the provisions therein shall remain applicable until lawfully canceled.

§ 221.212 *Method of withdrawing portion of authority conferred by power of attorney*. If a carrier desires to issue a power of attorney conferring less authority than a previous power of attorney issued in favor of the same agent, the new power of attorney shall not direct the cancellation of such previous power of attorney. In such circumstances, such previous power of attorney shall be revoked by issuing and filing a Notice of Revocation of Power of Attorney in the form and manner prescribed by § 221.211. Such revocation notice shall include reference to the new power of attorney "(see Power of Attorney No. \_\_\_\_)", to be shown at the end of the body of the document.

§ 221.213 *Procedure for alternate agent to assume the duties of and take over tariffs of the principal agent*—(a) *Alternate may act only upon death or disability of principal agent*. An alternate agent may exercise the authority granted in the power of attorney to the principal agent only in the event of death or disability of the principal agent. The term "disability" as used here and in the power of attorney means resignation, permanent transfer to other duties, or other duties, or other permanent absence of the principal agent, and does not mean temporary absence of the principal agent caused by vacation, illness, or other similar causes. After an alternate agent has once exercised the authority granted by the power of attorney, the principal agent shall not thereafter act under such authority.

(b) *Affidavit to be made by alternate*. When an alternate agent assumes the duties of the principal agent, upon the death or disability of the principal agent, the alternate agent shall submit to the Board a sworn statement of the facts which justify his exercising the authority in the power of attorney. Such sworn statement shall be submitted to the Board on or before the date on which the alternate agent files any tariff publications under such authority.

(c) *Take-over supplement to be filed by alternate*. When an alternate agent assumes the duties of the principal agent, upon the death or disability of the principal agent, the alternate agent shall, issue and file with the Board a



supplement to each of the effective tariffs issued by the principal agent which shall comply with the following:

(1) Such supplements shall be filed to loose-leaf tariffs as well as book tariffs.

(2) Such supplement shall consist of a title page prepared in accordance with § 221.112 (b) except:

(i) Such supplement shall not bear an effective date,

(ii) Such supplement shall contain the following statement (to be shown immediately below the description of the tariff's contents and territory)

On and after \_\_\_\_\_  
(Show date when principal agent ceased to act)

this tariff (as amended), which was heretofore issued by \_\_\_\_\_

(Show name and title of former agent)

shall be considered as the issue of \_\_\_\_\_, Alternate Agent.

(Show name of alternate)

(3) All such supplements to all effective tariffs shall be filed at one time under one letter of tariff transmittal.

(d) *Alternate agent's title to be shown in tariff publications.* The title "Alternate Agent" shall be shown in connection with the alternate agent's name in all tariff publications which he issues and files under his authority as alternate agent and in all tariff publications making reference to tariffs of such alternate agent.

(e) *C. A. B. numbers of tariffs issued by alternate.* If an alternate agent has occasion to issue tariffs, such tariffs shall bear consecutive C. A. B. numbers continuing in the same C. A. B. number series of the tariffs issued by the principal agent.

(f) *Numbering alternate's letters of tariff transmittal.* All letters of tariff transmittal prepared by and in the name of an alternate agent shall be numbered consecutively continuing in the same tariff transmittal number series of the principal agent.

(g) *Numbering alternate's Special Tariff Permission applications.* Applications for Special Tariff Permission filed by an alternate agent shall be consecutively numbered continuing in the same application number series of the principal agent.

§ 221.214 *Procedure for having new principal agent assume the duties of and take over tariffs of another agent—(a) Procedure.* When it is desired to transfer authority from the current principal agent (or an alternate agent acting in the principal's stead) to a new principal agent and have the new agent take over (assume the duties of issuing) all of the effective tariffs of the current agent, the following procedure shall be observed:

(1) Each carrier which has issued a power of attorney in favor of the current agent (or alternate agent) shall issue a new power of attorney in favor of the new principal agent (and his alternate) and such new power of attorney shall be prepared and filed in accordance with the following:

(i) Such new power of attorney shall direct the cancellation of the power of attorney issued in favor of the principal agent and alternate agent from whom the authority is transferred.

(ii) Such new power of attorney shall bear the following statement (in the upper right portion under the date)

(This power of attorney shall become effective on the date of its receipt by the Civil Aeronautics Board.)

(iii) Such new power of attorney shall not confer less authority than the power of attorney which it cancels.

(iv) Such new power of attorney shall not be transmitted by the carrier direct to the Board but shall be transmitted to the new principal agent named therein.

(v) The new principal agent shall secure such powers of attorney from all carriers participating in all of the effective tariffs of the agent or alternate agent to be superseded and, immediately upon securing all such powers of attorney, the new principal agent shall file the originals thereof with the Board all at one time.

(2) At the same time that the new principal agent files with the Board the originals of the powers of attorney pursuant to subparagraph (1) (v) of this paragraph, the new principal agent shall file with the Board a take-over supplement, conforming with paragraph (b) of this section, to each one of the former agent's effective tariffs.

(b) *Take-over supplement to be filed by new principal agent.* The take-over supplement to be filed by the new principal agent pursuant to paragraph (a) (2) of this section shall conform with the following:

(1) Such supplements shall be filed to loose-leaf tariffs as well as book tariffs.

(2) The title page of such supplement shall be prepared in accordance with § 221.112 (b) except that:

(i) The title page shall not bear an effective date.

(ii) The title page shall contain the following statement (to be shown immediately below the description of the tariff's contents and territory)

On and after \_\_\_\_\_  
(Show date when new powers of attorney are filed with the Board)

this tariff (as amended), which was heretofore issued by \_\_\_\_\_

(Show name and title of former issuing agent)

shall be considered as the issue of \_\_\_\_\_

(Show name and title of new principal agent)

(3) The page following the title page of such take-over supplement shall contain the following amendment of the list of participating carriers in the tariff (as amended) for the purpose of reflecting the changes in the power of attorney numbers and issuing agent:

Refer to page \_\_\_\_ (or Original Page \_\_\_\_ or \_\_\_\_ Revised Page \_\_\_\_), if filed to a loose-leaf tariff) of the tariff (as amended) and change the List of Participating Carriers in its entirety to read as follows:

**LIST OF PARTICIPATING CARRIERS**

This tariff is issued and filed with the Civil Aeronautics Board by \_\_\_\_\_

(Show name of new principal agent)

Agent, for and on behalf of the following participating carriers (under authority of their powers of attorney filed with the Civil Aeronautics Board).

Participating carrier	Power of attorney No.
(List alphabetically all carriers participating in the tariff and their respective, new power of attorney numbers)	

Such amendment shall not attempt to add, change or eliminate participating carriers but only show the changes in the power of attorney numbers and the issuing agent.

(4) All such take-over supplements to all of the effective tariffs of the predecessor agent shall be filed at one time under one letter of tariff transmittal and shall be accompanied by the powers of attorney in favor of the new principal agent.

(c) *C. A. B. numbers of tariffs issued by new principal agent.* (1) If the new principal agent has not filed tariffs with the Board as an issuing agent prior to taking over the former agent's tariffs, the new agent shall number any tariffs, which he may subsequently issue, according to either one of the following two methods:

(i) The new principal agent shall number his tariffs consecutively continuing in the same tariff series of C. A. B. numbers of the former agent. In this event, the new principal agent shall notify the Board that his tariffs will be so numbered.

(ii) The new principal agent shall consecutively number his tariffs in his own tariff series of C. A. B. numbers (commencing with C. A. B. No. 1).

(2) If the new principal agent has filed tariffs with the Board as an issuing agent prior to taking over the former agent's tariffs, the new agent shall continue to number any tariffs, which he may subsequently issue, consecutively in his own series of C. A. B. numbers.

(3) If tariffs issued by the new principal agent will be numbered in a different C. A. B. number series from those of the former agent, any supplements or loose-leaf pages filed to, any amendments directed of, or any references to the tariffs of the former agent shall show directly in connection with the C. A. B. numbers that they are in the series of the former agent, for example:

(i) When new agent issues a new tariff which is designated C. A. B. No. 1 in his series and cancels C. A. B. No. 4 in the series of the former agent:

C. A. B. No. 1  
cancels  
C. A. B. No. 4  
(Agent John Doe series)

(ii) When new agent issues a supplement to tariff issued by the former agent:

Supplement No. 3  
to  
C. A. B. No. 4  
(Agent John Doe series)

(iii) When new agent issues a revised page to tariff issued by the former agent:

C. A. B. No. 4 (Agent John Doe series)  
1st Revised Page 10 cancels Original Page 10

(d) *Numbering tariff transmittals of new principal agent.* All letters of tariff transmittal of the new principal agent shall be numbered consecutively in such



agent's series of tariff transmittal numbers, and shall not be numbered in the former agent's series.

(e) *Numbering special tariff permission applications of new principal agent.* Applications for Special Tariff Permission filed by the new principal agent shall be numbered consecutively in such agent's series of application numbers, and shall not be numbered in the former agent's series.

§ 221.215 *New powers of attorney to be filed within 180 days after death or disability of either principal or alternate.* Upon the death or disability of either the principal agent or the alternate agent named in a power of attorney filed with the Board, a new power of attorney canceling the previously effective power of attorney and naming a new principal agent or a new alternate agent (as the case may be) thereafter to serve shall be filed within 180 days after such death or disability. The original thereof shall not be sent direct to the Board but shall be forwarded to the principal agent named therein who, after securing such instruments from all of the carriers participating in the effective tariffs, shall file the originals thereof with the Board all at one time. Such new powers of attorney shall become effective upon the date of their receipt by the Board and each power of attorney shall bear the following statement (in the upper right portion under the date)

(This power of attorney shall become effective on the date of its receipt by the Civil Aeronautics Board.)

Each such new power of attorney shall not confer less authority than the power of attorney which it cancels. If the new powers of attorney name a new principal agent, the procedure in § 221.214 shall be followed. If the new powers of attorney name a new alternate agent without changing the principal agent, the principal agent shall also file amendments of the list of participating carriers in his tariffs to show the new power of attorney numbers at the same time as he files the new powers of attorney with the Board.

#### SUBPART T—ADOPTION PUBLICATIONS REQUIRED TO SHOW CHANGE IN CARRIER'S NAME OR TRANSFER OF OPERATING CONTROL

§ 221.220 *Adoption notice—(a) Prescribed form of adoption notice to be filed by adopting carrier.* When the name of a carrier is changed or when its operating control is transferred to another carrier (including another company which has not previously been a carrier) the carrier which will thereafter operate the properties shall immediately issue, file with the Board, and post for public inspection an adoption notice prepared in accordance with the form set forth in § 221.236. Such adoption notice shall contain no matter other than that required by the prescribed form. (The carrier under its former name or the carrier from whom the operating control is transferred shall hereinafter be referred to as the "former carrier" and the carrier under its new name or the carrier,

company, or fiduciary to whom the operating control is transferred shall hereinafter be referred to as the "adopting carrier")

(b) *Prepared, filed, and posted as a tariff publication.* The adoption notice shall be prepared, filed, and posted as a tariff publication. The adoption notice shall be issued and filed by the adopting carrier and not by an agent.

(c) *Copies to be sent to agents and other carriers.* At the same time that the adoption notice is transmitted to the Board for filing, the adopting carrier shall send copies of such adoption notice to each agent and carrier to whom the former carrier has given a power of attorney or concurrence. (See § 221.223.)

§ 221.221 *Adoption supplements to former carrier's tariffs.* At the same time that the adoption notice is issued, posted and filed pursuant to § 221.220, the adopting carrier shall issue, post, and file with the Board a consecutively numbered supplement (to each effective tariff of the issue of the former carrier) which shall be prepared in accordance with the form set forth in § 221.237 and shall contain no matter other than that required by the prescribed form.

§ 221.222 *Receiver or other fiduciary shall file adoption notice and supplements.* A receiver or other fiduciary shall, immediately upon assuming control of a carrier, issue and file with the Board an adoption notice and adoption supplements as prescribed by §§ 221.220 and 221.221 and shall comply with the requirements of this subpart. An adoption notice filed by a receiver or other fiduciary shall be numbered consecutively in the tariff series of C. A. B. numbers of the former carrier and all subsequent tariffs issued by the receiver or other fiduciary shall be consecutively numbered in that series. When such receivership or other fiduciary relationship is terminated, the carrier taking over the assets shall file an adoption notice and adoption supplements in conformity with §§ 221.220 and 221.221.

§ 221.223 *Agents' and other carriers' tariffs shall reflect adoption.* If the former carrier is shown as a participating carrier under concurrence in tariffs issued by other carriers or is shown as a participating carrier under power of attorney in tariffs issued by agents, the issuing carriers and agents of such tariffs shall, upon receipt of the adoption notice, promptly file on thirty days' notice the following amendments to their respective tariffs:

(a) Cancel the name of the former carrier from the list of participating carriers. Such cancellation shall make reference to the substitution notice required by paragraph (c) of this section.

(b) Add the adopting carrier (in alphabetical order) to the list of participating carriers. Such addition shall make reference to the substitution notice required by paragraph (c) of this section. If the adopting carrier already participates in such tariff, reference to the substitution notice shall be added in connection with such carrier's name in the list of participating carriers.

(c) Add the following substitution notice (following the list of participating carriers)

#### SUBSTITUTION NOTICE

-----, by its  
(Show adopting carrier's name)  
Adoption Notice C. A. B. No. ----, having  
taken over the tariffs, etc. of -----  
(Show former  
carrier's name)  
-----, is hereby substituted  
for -----  
(Show former carrier's name)  
wherever the latter appears in this tariff (as  
amended).

Where the former carrier is specifically named in other parts of the tariff, the adopting carrier's name shall be specifically shown in lieu thereof whenever the issuing carrier or agent next has occasion to amend such parts of the tariff for other reasons.

§ 221.224 *C. A. B. numbers of tariffs issued by adopting carrier and method of publishing reference to C. A. B. numbers of former carrier's tariffs—(a) Numbering adopting carrier's tariffs.* Except as otherwise provided in § 221.222, the adopting carrier shall consecutively number its adoption notice and tariffs in its own tariff series of C. A. B. numbers, and not in the series of the former carrier. If the adopting carrier has not filed tariffs with the Board previous to its adoption notice, the adoption notice shall be designated C. A. B. No. 1 and subsequent tariffs shall be consecutively numbered C. A. B. Nos. 2, 3, 4, 5, etc.

(b) *Method of publishing reference to former carrier's tariffs* (This paragraph is not applicable where the adopting carrier is a receiver or other fiduciary) Any supplements or loose-leaf pages filed to, any amendments directed of, or any references to the tariffs of the former carrier shall show directly in connection with the C. A. B. number that such number is in the series of the former carrier, for example:

(1) If the adopting carrier issues and files a tariff which cancels a tariff issued by the former carrier, the title page of the new tariff shall set forth its C. A. B. number and the cancellation of the former tariff in the manner shown in the following example:

C. A. B. No. 2  
cancels  
C. A. B. No. 5  
(John Doe Air Co. series)

(2) If the adopting carrier issues a supplement to a tariff issued by the former carrier, the title page of the supplement shall set forth the supplement and C. A. B. numbers in the manner shown in the following example:

Supplement No. 6  
to  
C. A. B. No. 5  
(John Doe Air Co. series)  
Supplements Nos. 5 and 6 are the only  
effective supplements.

(3) If the adopting carrier issues a revised or original page to a loose-leaf tariff issued by the former carrier, the page shall set forth the C. A. B. number



and page reference in the manner shown in the following example:

C. A. B. No. 5  
(John Doe Air Co. series)  
3d Revised Page 4  
cancels  
2d Revised Page 4

§ 221.225 *Concurrences or powers of attorney to be reissued*—(a) *Adopting carrier shall reissue adopted concurrences and powers of attorney.* Within a period of 120 days after the date on which the change in name or transfer of operating control occurs, the adopting carrier shall reissue all effective powers of attorney and concurrences of the former carrier by issuing and filing new powers of attorney and concurrences, in the adopting carrier's name, which shall direct the cancellation of the respective powers of attorney and concurrences of the former carrier. The adopting carrier shall consecutively number its powers of attorney and concurrences in its own series of power of attorney numbers and concurrence numbers (commencing with No. 1 in each series if it had not previously filed any such instruments with the Board) except that a receiver or other fiduciary shall consecutively number its powers of attorney or concurrences in the series of the former carrier. The cancellation reference shall show that the canceled power of attorney or concurrence was issued by the former carrier, for example:

Concurrence No. 1  
(Cancels Concurrence No. 6 issued  
by John Doe Airways Co., Inc.)

If such new powers of attorney or concurrences confer less authority than the powers of attorney or concurrences which they are to supersede, the new issues shall not direct the cancellation of the former issues; in such instances, the provisions of §§ 221.202 and 221.212 shall be observed. Concurrences and powers of attorney which will not be replaced by new issues shall be revoked in the form and manner and upon the notice required by §§ 221.201 and 221.211.

(b) *Reissue of other carriers' concurrences issued in favor of former carrier.* Each carrier which has given a concurrence to a carrier whose tariffs are subsequently adopted shall reissue the concurrence in favor of the adopting carrier. If the carrier which issued the concurrence to the former carrier desires to revoke it or desires to replace it with a concurrence conferring less authority, the provisions of §§ 221.201 and 221.202 shall be observed.

§ 221.226 *Numbering adopting carrier's letters of tariff transmittal.* The adopting carrier (except a receiver or other fiduciary) shall consecutively number its letters of tariff transmittal in its own series of tariff transmittal numbers (commencing with No. 1 if the adopting carrier has not filed tariff publications with the Board prior to its adoption notice). A receiver or other fiduciary shall consecutively number its letters of tariff transmittal in the former carrier's series of tariff transmittal numbers.

§ 221.227 *Numbering adopting carrier's Special Tariff Permission applications.* The adopting carrier (except a receiver or other fiduciary) shall consecutively number its applications for Special Tariff Permission in its own series of application numbers (commencing with No. 1 if the adopting carrier has not filed such applications prior to the adoption). A receiver or other fiduciary shall consecutively number its applications for Special Tariff Permission in the former carrier's series of application numbers.

§ 221.228 *Cessation of operations without successor.* If a carrier ceases operations without having a successor, it shall:

(a) File a supplement to each tariff of its own issue and cancel such tariff in its entirety. Such supplement shall state that operations are discontinued and give reference to the Board's order permitting such discontinuance.

(b) Revoke all powers of attorney and concurrences which it has issued.

#### SUBPART V—PRESCRIBED FORMS

§ 221.230 *Letter of tariff transmittal*—(a) *Form.* The letter of tariff transmittal required by section 221.163 shall be prepared in accordance with the following form (on durable, white paper 8½ inches wide by 11 inches long)

Name \_\_\_\_\_(1)\_\_\_\_\_  
Mail address \_\_\_\_\_  
Date \_\_\_\_\_

Tariff Transmittal No. \_\_\_\_ (2)\_\_\_\_  
To the CIVIL AERONAUTICS BOARD,  
Tariffs Section, Washington 25, D. C.

Sent you for filing in compliance with the requirements of the Civil Aeronautics Act of 1938, as amended, is the accompanying tariff publication issued by \_\_\_\_\_(1)\_\_\_\_\_ and bearing:

(3) { Tariff C. A. B. No. \_\_\_\_ effective \_\_\_\_  
      \_\_\_\_ Revised Page \_\_\_\_ of C. A. B.  
      No. \_\_\_\_ effective \_\_\_\_  
      Original Page \_\_\_\_ of C. A. B. No. \_\_\_\_  
      effective \_\_\_\_  
      Supplement No. \_\_\_\_ to C. A. B.  
      No. \_\_\_\_ effective \_\_\_\_

(4) The above named publication is concurred in by all carriers participating therein under concurrences (or, powers of attorney) which are now on file with the Civil Aeronautics Board except that the concurrences (or, powers of attorney) of the following named carriers are attached hereto:

(4) Sufficient copies of the above named publication for posting in accordance with Subpart N of your Economic Regulations have been sent to each carrier participating in the above named publication.

(5) \_\_\_\_\_  
Signature \_\_\_\_\_(6)\_\_\_\_\_  
(Show typed name and title of issuing officer or agent below signature.)

(For explanations of reference marks shown in above form, see paragraph (b) of this section.)

(b) *Explanations of reference marks.* Where a reference mark is shown in the above letter of tariff transmittal form, the information to be shown where such reference mark appears shall conform to the requirements stated in the follow-

ing explanation of the respective reference mark:

- | Reference mark: | Explanation  |
|-----------------|--|
| (1)             | Show name of issuing carrier or agent exactly as it appears in the tariff publication. If issued by an agent's title after his name.   |
| (2)             | Show consecutive tariff transmittal number. Each issuing carrier or agent shall consecutively number its letter of tariff transmittals (commencing with Tariff Transmittal No. 1). Only one series of tariff transmittal numbers shall be used by each carrier or agent and separate series of numbers for passenger tariffs and property tariffs shall not be used. |
| (3)             | Use whichever form of reference shown is appropriate for listing the publication filed. Each publication transmittal for filing shall be listed.   |
| (4)             | Omit the paragraph if no carriers other than the issuing carrier participate in the publication filed. Omit the underlined portion if all concurrences or powers of attorney have been previously filed with the Board.  |
| (5)             | Here state the changes and additions in the publications and the reasons therefor, or attach such statement and make reference thereto.  |
| (6)             | The letter of transmittal shall bear the signature of the issuing officer or agent of the tariff publication filed.  |

§ 221.231 *Application for Special Tariff Permission*—(a) *Form.* The application for Special Tariff Permission required by § 221.193 shall be prepared in accordance with the following form (on durable, white paper 8½ inches wide by 11 inches long)

Name \_\_\_\_\_(1)\_\_\_\_\_  
Mail address \_\_\_\_\_  
Date \_\_\_\_\_

Special Tariff Permission Application  
No. \_\_\_\_ (2)\_\_\_\_  
To the CIVIL AERONAUTICS BOARD,  
Tariffs Section, Washington 25, D. C.

\_\_\_\_\_ (1) \_\_\_\_\_ hereby petitions the Civil Aeronautics Board that your petitioner be permitted under Section 403 of the Civil Aeronautics Act of 1938, as amended, to put in force the following proposed tariff provisions to become effective not less than \_\_\_\_ days after the filing thereof with the Civil Aeronautics Board:

\_\_\_\_\_ (3) \_\_\_\_\_  
The proposed tariff provisions will be published in \_\_\_\_ (4) \_\_\_\_\_

The proposed tariff provisions will supersede and take the place of \_\_\_\_ (5) \_\_\_\_\_

The following air carriers and foreign air carriers are known to maintain competitive \_\_\_\_\_

(Fares, rates, or charges)  
between the points where the proposed tariff provisions will apply (or points related thereto) \_\_\_\_\_ (6) \_\_\_\_\_

The basis on which the proposed \_\_\_\_\_

(Fares, rates, or charges)  
are constructed is as follows: \_\_\_\_\_ (7) \_\_\_\_\_

The following facts are relied upon by your petitioner as constituting special circumstances or unusual conditions which justify the request made herein: \_\_\_\_\_ (8) \_\_\_\_\_

\_\_\_\_\_ (1) \_\_\_\_\_  
By \_\_\_\_\_ (9) \_\_\_\_\_  
(Signature)  
(Show typed name and title of issuing officer or agent under signature)



## Verification:

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
(Notary Public's  
seal.) \_\_\_\_\_  
(Notary Public)

(For explanations of reference marks shown in the above form, see paragraph (b) of this section.)

(b) *Explanations of reference marks shown in prescribed form.* Where a reference mark is shown in the above Special Tariff Permission application form, the information to be shown where such reference mark appears shall conform to the requirements stated in the following explanation of the respective reference mark:

## Reference mark

## Explanation

- (1) Show name of issuing carrier or agent making the application exactly as it appears in such carrier's or agent's tariffs. The title of the issuing agent shall be shown following the agent's name.
- (2) Show a consecutive application number. Each issuing carrier or agent shall consecutively number its Special Tariff Permission application (commencing with No. 1) in only one series of application numbers.
- (3) The proposed rates, fares, charges, rules, or other tariff provisions shall be set forth clearly and completely, including the points of origin and destination of proposed rates, fares, and charges and the exact wording proposed rules, commodity descriptions, routing, and other provisions. If the proposed provisions are to be published in a supplement, the proposed specific cancellation of the provisions to be superseded in the tariff and prior supplements shall be set forth. If desired, the proposed tariff provisions may be set forth in an attached exhibit or exhibits identified as Exhibits A, B, C, etc. and, in such instances, the application shall make reference to such exhibits substantially in the following manner:

The proposed tariff provisions are as shown in Exhibit A attached hereto and hereby made a part hereof.

If the Special Tariff Permission application is granted by the Board, only the proposed tariff provisions specified or referred to in this part of the application may be published under authority of the Special Tariff Permission (except for any portion of the proposed provisions which is denied the authority requested).

- (4) Show the tariff publication in which the proposed provisions will be published and the publication which it will cancel, using whichever of the following forms of reference is applicable to the proposed tariff publication and the publication which it will cancel:

"\_\_\_\_ Revised Page \_\_\_\_ (which will cancel Original Page \_\_\_\_ or \_\_\_\_ Revised Page \_\_\_\_) of C. A. B. No. \_\_\_\_"  
"Original Page \_\_\_\_ to be added to C. A. B. No. \_\_\_\_"

"A consecutively numbered supplement (which will cancel Supplement No. \_\_\_\_) to C. A. B. No. \_\_\_\_"

"A new tariff C. A. B. No. \_\_\_\_ which will cancel tariff C. A. B. No. \_\_\_\_"

- (5) Show the published rates, fares, or other tariff provisions which it is desired to change. This may be done either by reference to an accompanying exhibit containing such information, or by reference to the number of the page and the item, rule, or similar unit of the tariff or supplement in which such tariff provisions are published.

## Reference mark

## Explanation

- (6) Show the names of the carriers known to maintain competitive rates, fares, and other tariff provisions together with reference (by C. A. B. number) to the respective tariffs containing such competitive tariff provisions, regardless of whether the proposed tariff provisions will result in greater, less, or the same charges or services than those maintained by the competitive carriers. Also, state in the same paragraph whether or not such carriers or publishing agents have been notified of the proposed tariff provisions whether or not such carriers or agents have been notified that it is proposed to file such provisions on less than thirty days' notice, and what views with respect thereto have been expressed by such carriers or agents.
- (7) Describe the specific basis on which the proposed rates, fares, or charges were constructed or determined. For example, if they are intended to meet competitive rates, fares, or charges, that fact should be stated together with reference (by C. A. B. number) to the tariffs containing such competitive rates, fares, or charges. If meeting a combination rate, fare, or charge, information shall be stated for each factor used in constructing such combination. If the proposed rate, fare, or charge is not designed to meet competition, state how the level or amount of the proposed rate, fare or charge was computed or determined.
- (8) State the specific facts which are relied upon as constituting special circumstances or unusual conditions justifying the requested permission together with any related facts or circumstances which may aid the Board in determining whether the requested permission is justified.
- (9) The issuing officer or agent of the proposed tariff publication shall sign the application for Special Tariff Permission.

§ 221.232 *Concurrence*—(a) *Form.* The concurrence required by § 221.200 shall be prepared in accordance with the following form (on durable, white paper 8½ inches wide by 11 inches long)

## CONCURRENCE

- (1) Concurrence No. \_\_\_\_
- (2) (Cancels Concurrence No. \_\_\_\_)
- Name \_\_\_\_\_ (3) \_\_\_\_\_
- Mail address \_\_\_\_\_
- Date \_\_\_\_\_

## Know All Men by This Instrument:

That \_\_\_\_ (3) \_\_\_\_\_ hereby assents to and concurs in the publication and filing with the Civil Aeronautics Board of tariffs (including supplements thereto and original or revised page thereof) which \_\_\_\_ (4) \_\_\_\_\_ (or its successor-in-interest) may issue and file and in which \_\_\_\_ (3) \_\_\_\_\_ is shown as a participating carrier, and the latter carrier hereby makes itself a party thereto and bound thereby in so far as such tariff publications contain joint rates, fares, or charges (including their governing provisions) in which the latter carrier is shown as participating.

RESTRICTION: This concurrence is further restricted to the publication and filing of

\_\_\_\_ (5) \_\_\_\_\_  
\_\_\_\_ (3) \_\_\_\_\_  
By \_\_\_\_\_ (6) \_\_\_\_\_  
(Signature)  
(Show typed name and title under signature)

(7) Attest:  
(Affix corporate seal) \_\_\_\_\_ (Signature)  
(Secretary)

Duplicate mailed to: \_\_\_\_\_ (4) \_\_\_\_\_  
at: \_\_\_\_\_  
(Show full address)

(For explanations of reference marks shown in above form, see paragraph (b) of this section.)

(b) *Explanations of reference marks.* Where a reference mark is shown in the above concurrence form, the information to be shown where such reference mark appears shall conform to the requirements stated in the following explanation of the respective reference mark:

## Reference mark

## Explanation

- (1) Show a consecutive concurrence number. All concurrences issued by each carrier shall be consecutively numbered 1, 2, 3, 4, etc. in only one series of concurrence numbers.
- (2) A concurrence may only cancel a previous concurrence given to the same carrier (or its successor-in-interest). A concurrence shall not cancel a previous concurrence which conferred greater authority (see § 221.203).
- (3) Show name of carrier issuing the concurrence. Such name shall be shown exactly as it appears in such carrier's Certificate of Public Convenience and Necessity, Permit, Letter of Registration, or other form of operating authority issued by the Board.
- (4) Show name of carrier to whom concurrence is given. Such name shall be shown exactly as it appears in the tariffs issued by such carrier. The term "successor-in-interest" as shown in the concurrence after such carrier's name, shall mean any carrier who may adopt the tariffs issued by the carrier to whom the concurrence is given.
- (5) If no restrictions are to be placed on the authority conferred in the first paragraph of the concurrence, the paragraph captioned "RESTRICTION" shall be deleted in its entirety.

If the authority is to be restricted to the publication and filing of joint rates, fares, or charges (including their governing provisions) applying between particular points or territories or on particular traffic or via particular routes, such joint rates, fares, or charges shall be specified in explicit and definite terms in the paragraph captioned "RESTRICTION." No restriction shall be imposed in the concurrence with respect to the amounts or level of rates, fares, or charges.

If the authority is to be restricted to the publication and filing of a particular tariff, the restriction shall be shown in the following manner:

- (5) "RESTRICTION: This authority is restricted to the publication and filing of \_\_\_\_\_,

(show exact title of tariff)  
C. A. B. No. \_\_\_\_\_, including supplements thereto and revised or original pages thereof."

If the latter authority is to include successive issues of the tariff named in the restriction, the restriction shall be shown in the following manner:

"RESTRICTION: This authority is restricted to the publication and filing of \_\_\_\_\_,

(show exact title of tariff)  
C. A. B. No. \_\_\_\_\_, and successive issues thereof, including supplements to and revised or original pages of said publications."

- (6) The concurrence shall be signed by the owner if the carrier is an individual person and by a partner if the carrier is a partnership. If the carrier is a corporation or similar entity, the concurrence shall be signed by an officer thereof.



**Reference mark** **Explanation**

(7) If the carrier is a corporation (or similar entity) the concurrence shall be attested by the secretary (or similar officer) thereof and the carrier's corporate seal shall be affixed thereto. If the carrier is a foreign carrier and, under the laws of the carrier's native country, such seal and attestation are not required to authenticate the concurrence, affixing the seal and attesting the concurrence are not required, provided that such carrier certifies to the Board in writing that the laws of the carrier's native country do not require such attestation and seal to authenticate such concurrences.

§ 221.233 *Notice of Revocation of Concurrence*—(a) *Form*. The Notice of Revocation of Concurrence required by § 221.201 shall be prepared in accordance with the following form (on durable, white paper 8½ inches wide by 11 inches long)

**NOTICE OF REVOCATION OF CONCURRENCE**

Name \_\_\_\_\_ (1) \_\_\_\_\_  
 Mail address \_\_\_\_\_  
 Date \_\_\_\_\_

**Know All Men by This Instrument:**

That effective \_\_\_\_\_ (2) \_\_\_\_\_, Concurrence No. \_\_\_\_\_ issued \_\_\_\_\_ (3) \_\_\_\_\_ in favor of \_\_\_\_\_ (4) \_\_\_\_\_ is hereby canceled and revoked in its entirety.

By \_\_\_\_\_ (1) \_\_\_\_\_  
 (Signature)  
 (Show typed name and title under signature.)

(6) Attest:  
 (Affix corporate seal) \_\_\_\_\_ (Signature) \_\_\_\_\_  
 (Secretary)

Duplicate mailed to: \_\_\_\_\_  
 (Officer)  
 \_\_\_\_\_ (7) \_\_\_\_\_  
 (Carrier)  
 \_\_\_\_\_  
 (Address)  
 on: \_\_\_\_\_ (8) \_\_\_\_\_

(For explanations of reference marks shown in the above form, see paragraph (b) of this section.)

(b) *Explanations of reference marks*. Where a reference mark is shown in the above form of Notice of Revocation of Concurrence, the information to be shown where such reference mark appears shall conform to the requirements stated in the following explanation of the respective reference mark:

**Reference mark** **Explanation**

(1) Show full name of carrier issuing the notice of revocation.

(2) Show date (month, date, and year) on which the revocation and cancellation of the concurrence are to become effective.

(3) Show name of carrier who issued the concurrence to be revoked. Such name shall be shown exactly as it appears in the concurrence.

(4) Show name of carrier in whose favor the concurrence was issued. Such name shall be shown exactly as it appears in the concurrence to be revoked.

(5) The revocation shall be signed by the individual owner if the carrier is an individual person and by a partner if the carrier is a partnership. If the carrier is a corporation or similar entity, the revocation shall be signed by an officer thereof.

**Reference mark** **Explanation**

(6) If the carrier is a corporation (or similar entity) the revocation shall be attested by the secretary (or similar officer) thereof and the carrier's corporate seal shall be affixed thereto.

(7) Duplicate is to be sent to carrier to whom the concurrence was given except that if the tariffs of such carrier have been adopted by another carrier, the duplicate shall be sent to the latter carrier.

(8) Show date on which the duplicate was mailed to the carrier named.

§ 221.234 *Power of attorney*—(a) *Form*. The power of attorney required by § 221.210 shall be prepared in accordance with the following form (on durable, white paper 8½ inches wide by 11 inches long)

**POWER OF ATTORNEY**

(1) Power of Attorney No. \_\_\_\_\_  
 (2) (Cancels Power of Attorney No. \_\_\_\_\_)  
 Name \_\_\_\_\_  
 Mail address \_\_\_\_\_  
 Date \_\_\_\_\_

**Know All Men by This Instrument:**

That \_\_\_\_\_ (3) \_\_\_\_\_, a common carrier by aircraft, hereby makes and appoints \_\_\_\_\_ (4) \_\_\_\_\_ attorney and agent to publish and file, for such carrier, tariffs (including supplements thereto and revised or original pages thereof) which such carrier is required or permitted to file with the Civil Aeronautics Board by the Civil Aeronautics Act of 1938, as amended, and the regulations of the Civil Aeronautics Board issued pursuant thereto, and hereby ratifies and confirms all that said attorney and agent may lawfully do by virtue of the authority herein granted and hereby assumes full responsibility for the acts and failures to act of said attorney and agent.

**Restriction:** This authority is restricted to the publication and filing of \_\_\_\_\_ (5) \_\_\_\_\_. And, further, that \_\_\_\_\_ (3) \_\_\_\_\_ hereby makes and appoints \_\_\_\_\_ (6) \_\_\_\_\_ alternate attorney and agent to do and to perform the same acts and exercise the same authority herein granted to \_\_\_\_\_ (4) \_\_\_\_\_ in the event and only in the event of the death or disability of \_\_\_\_\_ (4) \_\_\_\_\_.  
 By \_\_\_\_\_ (3) \_\_\_\_\_  
 (Signature)  
 (Show typed name and title under signature)

(8) Attest:  
 (Show corporate seal) \_\_\_\_\_ (Signature) \_\_\_\_\_  
 (Secretary)  
 Duplicate mailed to: \_\_\_\_\_ (4) \_\_\_\_\_  
 Agent at: \_\_\_\_\_  
 (Show mail address)

(For explanations of reference marks shown in above form, see paragraph (b) of this section.)

(b) *Explanations of reference marks*. Where a reference mark is shown in the above power of attorney form, the information to be shown where such reference mark appears shall conform to the requirements stated in the following explanation of the respective reference mark:

**Reference mark** **Explanation**

(1) Show a consecutive power of attorney number. All powers of attorney issued by each carrier shall be consecutively numbered 1, 2, 3, 4, etc. in only one series of power of attorney numbers.

**Reference mark** **Explanation**

(2) A power of attorney may only cancel a previous power of attorney given to the same agent and alternate agent (except as otherwise provided in §§ 221.214 and 221.215). A power of attorney shall not cancel a previous power of attorney which conferred greater authority (see § 221.212).

(3) Show name of carrier issuing the power of attorney. The name shall be shown exactly as it appears in such carrier's Certificate of Public Convenience and Necessity, Permit, Letter of Registration, or other form of operating authority issued by the Board.

(4) Show name of agent to whom the power of attorney is given. The agent's name shall be shown uniformly in the same manner in all powers of attorney given by all carriers to such agent and shall be shown exactly as it appears in the tariffs of such agent.

(5) If no restrictions are to be placed on the authority conferred in the power of attorney, the paragraph captioned "Restriction" shall be deleted in its entirety. If the authority is to be restricted to the publication and filing of rates, fares, or charges (including their governing provisions) applying between particular points or territories or on particular traffic or via particular routes, such rates, fares, or charges shall be specified in explicit and definite terms in the paragraph captioned "Restriction." No restriction shall be imposed in the power of attorney with respect to the amounts or level of rates, fares, or charges. If the authority is to be restricted to the publication and filing of a particular tariff, the restriction shall be shown in the following manner:

(5) "Restriction: This authority is restricted to the publication and filing of \_\_\_\_\_ (Show exact title of tariff) C. A. B. No. \_\_\_\_\_, including supplements thereto and revised or original pages thereof." If the latter authority is to include successive issues of the tariff named in the restriction, the restriction shall be shown in the following manner: "Restriction: This authority is restricted to the publication and filing of \_\_\_\_\_ (Show exact title of tariff) C. A. B. No. \_\_\_\_\_ and successive issues thereof, including supplements to and revised or original pages of said publications."

(6) Show name of alternate agent. Each principal agent shall have only one alternate agent. The alternate agent's name shall be shown uniformly in the same manner in all carriers' powers of attorney issued in favor of such alternate.

(7) The power of attorney shall be signed by the owner if the carrier is an individual person and by a partner if the carrier is a partnership. If the carrier is a corporation or similar entity, the concurrence shall be signed by an officer thereof.

(8) If the carrier is a corporation (or similar entity) the power of attorney shall be attested by the secretary (or similar officer) thereof and the carrier's corporate seal shall be affixed thereto. If the carrier is a foreign carrier and, under the laws of the carrier's native country, such seal and attestation are not required to authenticate the document, affixing the seal and attesting the document is not required, pro-



Reference  
mark

## Explanation

vided that such carrier certifies to the Board in writing that the laws of the carrier's native country do not require such attestation and seal to authenticate such powers of attorney.

§ 221.235 *Notice of Revocation of Power of Attorney—(a) Form.* The Notice of Revocation of Power of Attorney required by § 221.211 shall be prepared in accordance with the following form (on durable, white paper 8½ inches wide by 11 inches long)

## NOTICE OF REVOCATION OF POWER OF ATTORNEY

Name -----(1)-----

Mail address -----

Date -----

## Know All Men By This Instrument:

That effective -----(2)-----, Power of Attorney No. ----- issued by -----(3)----- in favor of -----(4)----- attorney and agent, and, -----(5)-----, alternate attorney and agent, is hereby canceled and revoked in its entirety.

By -----(1)-----

----- (6) -----

(Signature)

(Show typed name

and title under

the signature.)

## (7) Attest:

Affix corporate seal) ----- (Signature) -----

(Secretary)

Duplicate mailed to: ----- (8) -----

at: -----

on: ----- (9) -----

(For explanations of reference marks used in above form, see paragraph (b) of this section.)

(b) *Explanation of reference marks.* Where a reference mark is shown in the above form of Notice of Revocation of Power of Attorney, the information to be shown where such reference mark appears shall conform to the requirements stated in the following explanation of the respective reference mark:

Reference  
mark

## Explanation

(1) Show full name of carrier issuing the notice of revocation.

(2) Show full date (month, date, and year) on which revocation and cancellation of power of attorney are to become effective.

(3) Show full name of carrier who issued the power of attorney to be revoked. Such name shall be shown exactly as it appears in the power of attorney.

(4) Show name of principal agent exactly as it appears in the power of attorney to be revoked.

(5) Show name of alternate agent exactly as it appears in the power of attorney to be revoked.

(6) The notice of revocation shall be signed by the owner if the carrier is an individual person and by a partner if the carrier is a partnership. If the carrier is a corporation (or similar entity), the notice of revocation shall be signed by an officer thereof.

(7) If the carrier is a corporation (or similar entity), the revocation shall be attested by the secretary (or similar officer) thereof and the carrier's corporate seal shall be affixed thereto.

(8) Show name of principal agent unless the alternate agent has taken over the tariffs of the principal agent upon the death or disability of the latter. In the latter case, the alternate agent's name shall be shown and the duplicate shall be mailed to the alternate agent.

Reference  
mark

## Explanation

(9) Show date on which the duplicate was mailed to the agent or alternate agent (as the case may be).

§ 221.236 *Adoption Notice—(a) Form.* The adoption notice required by § 221.220 shall be prepared in accordance with the following form (on durable, white paper 8½ inches wide by 11 inches long)

(1) C. A. B. No. -----

----- (2) -----

## ADOPTION NOTICE

The above-named carrier hereby adopts, ratifies, and makes its own in every respect, as if the same had been originally filed and posted by it, all tariffs, classifications, rules, notices, traffic agreements, statements of divisions, powers of attorney, concurrences, or other instruments whatsoever, including supplements or amendments thereto, filed with the Civil Aeronautics Board by or on behalf of, or heretofore adopted by, -----(3)----- prior to -----(6)-----.

Issued pursuant to Subpart T of the Economic Regulations and Order No. -----(4)----- of the Civil Aeronautics Board.

Issued: -----(5)-----

Issued by: -----

----- (Show name and title of issuing officer) -----

----- (Show full address) -----

(For explanations of reference marks shown in above form, see paragraph (b) of this section.)

(b) *Explanations of reference marks.* Where a reference mark is shown in the above adoption notice form, the information to be shown where such reference mark appears shall conform to the requirements stated in the following explanation of the respective reference mark:

Reference  
mark

## Explanation

(1) (i) Except as provided under (ii) below, the adoption notice shall bear a consecutive C. A. B. number in the tariff series of the adopting carrier. If the adopting carrier has not filed tariffs with the Board previous to its adoption notice, the adoption notice shall be designated C. A. B. No. 1.

(ii) If the adopting carrier is a receiver or other fiduciary, its adoption notice shall bear a consecutive C. A. B. number in the tariff series of the former carrier.

(2) Show the name of the adopting carrier. If the adoption notice is issued by a receiver or other fiduciary, show the former carrier's name and, immediately below such name, show the name and title of the fiduciary in parentheses.

(3) Show the former carrier's name.

(4) Show the number of the Board's order which approved the change in name or transfer of operating control.

(5) Show the date on which the adoption notice is prepared and transmitted to the Board for filing.

(6) Show the date on which the change in name or transfer of operating control occurs. If the Board's approval of such change in name or transfer of operating control is required, such date shall not be earlier than the Board's approval.

§ 221.237 *Adoption supplement—(a) Form.* The adoption supplement required by § 221.221 shall be prepared in

accordance with the following form (on durable, white paper 8½ inches wide by 11 inches long)

(1) Supplement No. -----

to

C. A. B. No. -----

----- (2) ----- series)

Supplements Nos. ----- are the only

effective supplements.

----- (3) -----

Supplement No. -----

to

----- (4) -----

----- (5) -----

----- (6) -----

## ADOPTION ANNOUNCEMENT

Effective -----(9)-----, this tariff (as amended) became the tariff of -----(3)----- as shown in such carrier's adoption notice C. A. B. No. -----

Issued pursuant to Subpart T of the Economic Regulations and Order No. ----- (7) ----- of the Civil Aeronautics Board.

Issued: ----- (8) -----

Issued by: -----

----- (Show name and title of issuing officer) -----

----- (Show full address) -----

(For explanation of reference marks shown in above form, see paragraph (b) of this section.)

(b) *Explanations of reference marks.* Where a reference mark is shown in the above adoption supplement, the information to be shown where such reference mark appears shall conform to the requirements stated in the following explanation of the respective reference mark:

Reference  
mark

## Explanation

(1) The supplement number shall be consecutive to the number of the last previous supplement issued to the tariff.

(2) Show the former carrier's name exactly in the same manner as it appears in the tariff.

(3) Show the name of the adopting carrier exactly as it appears in the adoption notice.

(4) Show the title of the tariff.

(5) Show description of rates, fares, or other contents of the tariff in the same manner as such description appears on the title page of the tariff as amended.

(6) Show description of territory in the same manner as it appears on the title page of the tariff as amended.

(7) Show the number of the Board's order which approved the change in name or transfer of operating control.

(8) Show the date on which the adoption supplement is prepared and transmitted to the Board for filing.

(9) Show the date on which the change in name or transfer of operating control occurs. Such date shall be the same date as that shown in the adoption notice (see reference mark (6) in § 221.236).

§ 221.238 *Specimen title page of tariff.* The following is a specimen title page of a tariff which is shown only for the purpose of illustrating the arrangement and location of the contents of a tariff's title page (the numbers within parentheses in the following specimen refer to the subparagraphs bearing the same numbers of § 221.31 (a) which prescribe the respective information to be shown



on the title page, and such numbers shall not be shown on an actual title page)

- (1) C. A. B. No. 3
- (2) cancels  
C. A. B. No. 1
- <sup>1</sup> Original Title Page
- (3) John Doe Airlines, Inc.
- (4) Cargo Rates Tariff No. 1-A  
(cancels Cargo Rates Tariff No. 1)  
naming
- (5) Local, Specific Commodity Rates  
applicable to  
Transportation of Cargo by Aircraft  
between
- (6) Points in California, Florida, Oregon,  
Texas, and Washington on the one hand,  
and Points in New Jersey, New York, and  
Pennsylvania, on the other hand.

(7) This tariff is governed, except as otherwise provided herein, by Cargo Rules Tariff No. 2, C. A. B. No. 2, issued by John Doe Airlines, Inc., and by supplements to and successive issues of said publication.

(8) This tariff expires with December 31, 1953, unless sooner canceled, changed, or extended.

(10) Issued: February 1, 1953.

(11) Effective: March 3, 1953.

(12) Issued by:  
John Doe, President  
10 Cabot Street  
Los Angeles 75, California

(Actual size of page shall be 8½ inches wide, 11 inches long, with a clear margin of not less than one inch at left side of page.)

[F. R. Doc. 53-2313; Filed, Mar. 17, 1953; 8:45 a. m.]

## NOTICES

### DEPARTMENT OF THE TREASURY

#### United States Coast Guard

[CGFR 53-9]

#### APPROVAL OF EQUIPMENT AND CHANGES IN NAMES OF MANUFACTURERS

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120 dated July 31, 1950 (15 F. R. 6521) and in compliance with the authorities cited below with each item of equipment: *It is ordered, That:*

(a) All the approvals listed in this document which extend approvals previously published in the FEDERAL REGISTER are prescribed and shall be in effect for a period of five years from their respective dates as indicated at the end of each approval, unless sooner canceled or suspended by proper authority; and

(b) All the other approvals listed in this document (which are not covered by paragraph (a) above) are prescribed and shall be in effect for a period of five years from date of publication in the FEDERAL REGISTER unless sooner canceled or suspended by proper authority; and

(c) The changes in names of manufacturers of approved equipment shall be made as indicated below.

#### LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE)

Approval No. 160.002/33/0, model 2 adult kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by H. S. White Manufacturing Co., Inc., Fifth and Wacouta Streets, St. Paul 1, Minn. (Extension of the approval published in FEDERAL REGISTER dated February 12, 1948; effective February 12, 1953.)

Approval No. 160.002/34/0, model 6 child kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by H. S. White Manufacturing Co., Inc., Fifth and Wacouta Streets, St. Paul 1, Minn. (Extension of the approval published in FEDERAL REGISTER

<sup>1</sup> The designation "Original Title Page" shall be shown only on the title page of a loose-leaf tariff and not on a book tariff.

dated February 12, 1948; effective February 12, 1953.)

(R. S. 4405, 4417a, 4426, 4483, 4491, 4493, sec. 11, 35 Stat. 428, 49 Stat. 1644, 54 Stat. 164, 166, 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 481, 489, 490, 526e, 526p, 1333, 50 U. S. C. App. 1275; 46 CFR 160.003)

#### BUOYANT CUSHIONS, KAPOK, STANDARD

Note: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.007/129/0, Standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Marson Corp., 115 Mill Street, Revere 51, Mass.

(R. S. 4405, 4491, 54 Stat. 164, 166, as amended; 46 U. S. C. 375, 483, 526e, 526p; 46 CFR 160.007)

#### BUOYANT CUSHIONS, NON-STANDARD

Note: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.008/375/0, 15" x 48" x 2" rectangular buoyant cushion, 64 oz. kapok, U. S. C. G. Specification Subpart 160.008, dwg. No. 12, dated November 7, 1947, manufactured by Melman, Inc., 1901 Northwest Miami Court, Miami 36, Fla. (Extension of the approval published in FEDERAL REGISTER dated February 12, 1948; effective February 12, 1953.)

Approval No. 160.008/376/0, 15" x 36" x 2" rectangular buoyant cushion, 48 oz. kapok, U. S. C. G. Specification Subpart 160.008, dwg. No. 11, dated November 7, 1947, manufactured by Melman, Inc., 1901 Northwest Miami Court, Miami 36, Fla. (Extension of the approval published in FEDERAL REGISTER dated February 12, 1948; effective February 12, 1953.)

Approval No. 160.008/380/0, 14" x 20" x 2" rectangular buoyant cushion No. 9163, 24 oz. kapok, The American Pad & Textile Co. dwg. No. B-65, dated January 23, 1942, revised March 6, 1946, manufactured by The American Pad & Textile Co., Greenfield, Ohio, for Montgomery Ward & Co., Inc., 619 West Chicago Avenue, Chicago 7, Ill. (Extension of the approval published in FEDERAL REGISTER

dated February 12, 1948; effective February 12, 1953.)

Approval No. 160.008/381/0, 15" x 18" x 2" rectangular buoyant cushion, 24 oz. kapok, U. S. C. G. Specification Subpart 160.008, dwg. No. 15, dated November 11, 1947, manufactured by Melman, Inc., 1901 Northwest Miami Court, Miami 36, Fla. (Extension of the approval published in FEDERAL REGISTER dated February 12, 1948; effective February 12, 1953.)

Approval No. 160.008/386/1, 15" x 15" x 2" rectangular buoyant cushion, 20 oz. kapok, dwg. Nos. B-46, dated December 22, 1941, revised March 6, 1946, A-203, dated October 8, 1952, and A-257, dated October 21, 1952, manufactured by The American Pad & Textile Co., Greenfield, Ohio. (Supersedes Approval No. 160.008/386/0 published in the FEDERAL REGISTER dated June 9, 1948.)

Approval No. 160.008/527/0, 15" x 15" x 2" rectangular buoyant cushion, 20 oz. kapok, dwg. No. MKP-15, dated December 9, 1952, manufactured by Style-Crafters, Inc., Box 2148, Greenville, S. C.

Approval No. 160.008/528/0, 14" x 18" x 2" rectangular buoyant cushion, 23 oz. kapok, dwg. No. MKC-18, dated December 12, 1952, manufactured by Style-Crafters, Inc., Box 2148, Greenville, S. C.

Approval No. 160.008/529/0, 15" x 15" x 2" rectangular buoyant cushion, 20 oz. kapok, The American Pad & Textile Co. dwg. Nos. B-46, dated December 22, 1941, revised March 6, 1946, and A-757, dated October 29, 1952, manufactured by The American Pad & Textile Co., Greenfield, Ohio, for Alden's Inc., 511 South Paulina Street, Chicago 7, Ill.

Approval No. 160.008/530/0, 15" x 15" x 2" rectangular buoyant cushion, 20 oz. kapok, dwg. dated November 25, 1952, manufactured by Noble Products Co., Box 327, Caldwell, Ohio.

Approval No. 160.008/531/0, 15" x 18" x 2" rectangular buoyant cushion, 24 oz. kapok, dwg. dated January 21, 1953, manufactured by The Howard Zink Corp., Fremont, Ohio.

Approval No. 160.008/534/0, 15" x 15" x 2" rectangular buoyant cushion, 20 oz. kapok, dwg. dated January 23, 1953, manufactured by Marson Corp., 115 Mill Street, Revere 51, Mass.

(R. S. 4405, 4491, 54 Stat. 164, 166, as amended; 46 U. S. C. 375, 483, 526e, 526p; 46 CFR 160.003)

#### WINCHES, LIFEBOAT

Approval No. 160.015/15/1, Type H-63 lifeboat winch for use with mechanical davits, fitted with wire rope not more than ½ inch in diameter and with not more than 7 wraps of the falls on the drums, approved for maximum working load of 6300 pounds pull at the drums (3400 pounds per fall), identified by general arrangement dwg. No. 2564 dated March 29, 1943, and revised December 11, 1952, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Reinstates and supersedes Approval No. 160.015/15/0 terminated in the FEDERAL REGISTER dated October 1, 1952.)

Approval No. 160.015/26/1, Type B172 lifeboat winch, approval is limited to mechanical components and for a maxi-



imum working load of 17,200 pounds pull at the drums (8600 pounds per fall), identified by general arrangement dwg. No. 2114, dated December 1, 1941, and revised August 13, 1952, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Reinstates and supersedes Approval No. 160.015/26/0 terminated in the FEDERAL REGISTER dated October 1, 1952.)

(R. S. 4405, 4417a, 4426, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 481, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 160.015)

#### SIGNAL PISTOLS FOR PARACHUTE RED FLARE DISTRESS SIGNALS

Approval No. 160.028/9/0, Kilgore Marine Signal Pistol Model A, assembly dwg. No. MSP-1, Rev. 1, dated January 28, 1953, manufactured by Kilgore, Inc., International Flare Signal Division, Westerville, Ohio.

(R. S. 4405, 4417a, 4426, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 404, 489, 1333, 50 U. S. C. 1275; 46 CFR 160.028)

#### DAVITS, LIFEBOAT

Approval No. 160.032/43/1, gravity davit, type 30-V approved for maximum working load of 13,000 pounds per set (6,500 pounds per arm) using 2-part falls, identified by general arrangement dwg. No. 3379-3, dated January 30, 1952, and revised October 28, 1952, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Reinstates and supersedes Approval No. 160.032/43/0 terminated in the FEDERAL REGISTER dated October 1, 1952.)

(R. S. 4405, 4417a, 4426, 4481, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 474, 481, 489, 1333, 50 U. S. C. 1275; 46 CFR 160.032)

#### LIFEBOATS

Approval No. 160.035/20/2, 24.0' x 8.0' x 3.5' steel, oar-propelled lifeboat, 40-person capacity, identified by general arrangement dwg. No. G-2440, dated March 9, 1951, and revised November 23, 1952, manufactured by C. C. Galbraith & Son, Inc., 99 Park Pl., New York 7, N. Y. (Supersedes Approval No. 160.035/20/1 published in the FEDERAL REGISTER dated October 4, 1951.)

Approval No. 160.035/64/1, 31.0' x 11.25' x 4.5' steel, hand-propelled lifeboat, 90-person capacity, identified by construction and arrangement dwg. No. 2665, dated December 2, 1952, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Reinstates and supersedes Approval No. 160.035/64/0 terminated in the FEDERAL REGISTER dated October 1, 1952.)

Approval No. 160.035/102/1, 240' x 8.0' x 3.5' steel, motor-propelled lifeboat, without radio cabin (Class B, 37-person capacity, identified by general arrangement and construction dwg. No. 49R-2425, dated December 14, 1949, and revised October 3, 1952, manufactured by Lane Lifeboat & Davit Corp., 8920 Twenty-sixth Avenue, Brooklyn 14, N. Y.

(Reinstates and supersedes Approval No. 160.035/102/0 terminated in the FEDERAL REGISTER dated October 1, 1952.)

Approval No. 160.035/148/1, 16.0' x 5.5' x 2.38' steel, oar-propelled lifeboat, 12-person capacity, identified by construction and arrangement dwg. No. 408, dated December 5, 1952, revised December 22, 1952, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Reinstates and supersedes Approval No. 160.035/148/0 terminated in the FEDERAL REGISTER dated October 1, 1952.)

Approval No. 160.035/169/1, 26.0' x 9.0' x 3.83' aluminum, motor-propelled lifeboat with radio cabin, 43-person capacity, identified by construction and arrangement dwg. No. 3167, dated September 12, 1952, and revised November 8, 1952, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Reinstates and supersedes Approval No. 160.035/169/0 terminated in the FEDERAL REGISTER dated November 22, 1952.)

Approval No. 160.035/196/1, 30.67' x 10.17' x 4.25' steel, hand-propelled lifeboat, 78-person capacity, identified by construction and arrangement dwg. No. 1873, dated June 4, 1952, and revised January 3, 1953, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Supersedes Approval No. 160.035/196/0 published in the FEDERAL REGISTER dated February 12, 1948.)

Approval No. 160.035/248/0, 26.0' x 7.88' x 3.35' steel oar-propelled lifeboat, 41-person capacity identified by construction and arrangement dwg. No. 3236, dated April 23, 1951, and revised November 12, 1952, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J.

Approval No. 160.035/298/0, 30.0' x 10.0' x 4.13' aluminum, motor-propelled lifeboat without radio cabin (Class B) 68-person capacity, identified by construction and arrangement dwg. No. 30-1D, dated September 12, 1952, and revised December 9, 1952, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J.

Approval No. 160.035/302/0, 20.0' x 6.5' x 2.6' steel, oar-propelled lifeboat, 20-person capacity identified by general arrangement and construction dwg. No. 49R-2020-S, dated November 7, 1952, manufactured by Lane Lifeboat & Davit Corp., 8920 Twenty-sixth Ave., Brooklyn 14, N. Y.

(R. S. 4405, 4417a, 4426, 4481, 4488, 4491, 4492, sec. 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 474, 481, 489, 490; 1333, 50 U. S. C. App. 1275; 46 CFR 160.035)

#### KITS, FIRST-AID

Approval No. 160.041/6/0, First-Aid Kit, Model No. 24 L. B., assembly dwg. No. 1-24-LB, revised January 14, 1953, marking dwg. No. 2-24-LB revised January 14, 1953, manufactured by The Pac-Kit Co., P. O. Box 1306, Greenwich, Conn.

(R. S. 4405, 4417a, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, sec. 5, 55 Stat. 244, 245, as

amended; 46 U. S. C. 367, 375, 391a, 481, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 160.041)

#### PUMPS, BILGE, LIFEBOAT

Approval No. 160.044/5/0, Size No. 3 lifeboat bilge pump, identified by general assembly dwg. No. 228, revision B, dated December 20, 1952, manufactured by Allied Marine Equipment, Division of Tap-Rite Products Corp., 204 Railroad Avenue, Hackensack, N. J.

(R. S. 4405, 4417a, 4488, 4491, sec. 1, 2, 49 Stat. 1544, 54 Stat. 346, sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 481, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 160.044)

#### VALVES, SAFETY

Approval No. 162.001/2/1, Style CS, carbon steel body pop safety valve, exposed springs, maximum pressure 400 p. s. i., maximum temperature 650° F., dwg. No. 59BB-1, dated October 5, 1926, revised December 19, 1952, approved for sizes 2" 2½" 3" 3½" and 4" manufactured by The Ashton Valve Co., Wrentham, Mass. (Reinstates and supersedes Approval No. 162.001/2/0 terminated in the FEDERAL REGISTER dated October 1, 1952.)

Approval No. 162.001/41/1, Style DS, carbon steel body duplex pop safety valve, exposed springs, maximum pressure 400 p. s. i., maximum temperature 650° F., dwg. No. 84-B-1, dated August 31, 1933, and revised December 19, 1952, approved for sizes 2" 2½" 3" 3½" and 4" manufactured by The Ashton Valve Co., Wrentham, Mass. (Reinstates and supersedes Approval No. 162.001/41/0 terminated in the FEDERAL REGISTER dated October 1, 1952.)

Approval No. 162.001/43/1, Style DS-11, carbon steel body duplex pop safety valve, exposed springs, rocker shaft lifting lever, maximum pressure 400 p. s. i., maximum temperature 650° F., dwg. No. 84-B-1, dated August 31, 1933, revised December 19, 1952, approved for sizes 2" 2½" 3" 3½" and 4" manufactured by The Ashton Valve Co., Wrentham, Mass. (Reinstates and supersedes Approval No. 162.001/43/0 terminated in the FEDERAL REGISTER dated October 1, 1952.)

Approval No. 162.001/54/1, Style CS-100, carbon steel body pop safety valve, exposed spring, maximum pressure 450 p. s. i., for sizes up to and including 3½" 400 p. s. i. for 4" maximum temperature saturated steam, dwg. No. 102B-1, dated June 19, 1940, approved for sizes 1½" 2" 2½" 3", 3½" and 4" manufactured by The Ashton Valve Co., Wrentham, Mass. (Reinstates and supersedes Approval No. 162.001/54/0 terminated in the FEDERAL REGISTER dated October 1, 1952.)

Approval No. 162.001/67/1, Style DS-100, carbon steel body duplex pop safety valve, exposed spring, maximum pressure 600 p. s. i., maximum temperature saturated steam, dwg. No. 336B, dated August 1, 1944, approved for sizes 2" and 2½", manufactured by The Ashton Valve Co., Wrentham, Mass. (Reinstates and supersedes Approval No. 162.001/67/0 terminated in the FEDERAL REGISTER dated October 1, 1952.)

(R. S. 4405, 4417a, 4418, 4426, 4433, 4401, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat.



244, 245, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 411, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 162.001)

**FIRE EXTINGUISHERS, PORTABLE, HAND,  
CHEMICAL FOAM TYPE**

Approval No. 162.006/27/0, Elkhart 2½-gal. foam type hand portable fire extinguisher, assembly dwg. No. C-30234, dated November 4, 1949, name plate dwg. No. B-30162, dated July 19, 1949 (Coast Guard Classification: Type A, size II; and Type B, size II) manufactured by Elkhart Brass Manufacturing Co., Inc., Elkhart, Ind.

Approval No. 162.006/28/0, General Quick Aid Fire Guard, Model TF-4, 2½-gallon chemical foam type hand portable fire extinguisher, assembly dwg. No. BHF-833-X, Alt. A, dated March 11, 1952, name plate dwg. No. CHF-833-7, Alt. 3, dated December 7, 1949 (Coast Guard Classification: Type A, size II, and Type B, size II) manufactured by The General Detroit Corp., 2272 East Jefferson Avenue, Detroit 7, Mich.

Approval No. 162.006/34/0, General Quick Aid Fire Guard, Model TF-4, 2½-gallon chemical foam type hand portable fire extinguisher, assembly dwg. No. BHF-833-X, Alt. A, dated March 11, 1952, name plate dwg. No. CHF-833-7, Alt. 3, dated December 7, 1949 (Coast Guard Classification: Type A, size II, and Type B, size II) manufactured by The General Pacific Corp., 1501 East Washington Boulevard, Los Angeles 21, Calif.

(R. S. 4405, 4417a, 4426, 4479, 4491, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 404, 463a, 472, 489, 490, 526g, 526p, 1333, 50 U. S. C. App. 1275; 46 CFR 25.30, 34.25-1, 76.50, 95.50)

**FIRE EXTINGUISHERS, PORTABLE, HAND,  
SODA-ACID TYPE**

Approval No. 162.007/38/0, Elkhart 2½-gallon soda-acid type hand portable fire extinguisher, assembly dwg. No. C-30265, dated December 23, 1949, name plate dwg. No. B-30161, dated July 19, 1949 (Coast Guard Classification: Type A, size II) manufactured by Elkhart Brass Manufacturing Co., Inc., Elkhart, Ind.

Approval No. 162.007/45/0, General Quick Aid Fire Guard Model TS-15, 2½-gallon soda-acid type hand portable fire extinguisher, assembly dwg. No. BHS-303-XC revised, August 11, 1950, name plate dwg. No. CHS-303-14, rev. 3, dated December 7, 1949 (Coast Guard Classification: Type A, size II) manufactured by The General Pacific Corp., 1501 East Washington Boulevard, Los Angeles 21, Calif.

(R. S. 4405, 4417a, 4426, 4479, 4491, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 463a, 472, 489, 490, 526g, 526p, 1333, 50 U. S. C. App. 1275; 46 CFR 25.30, 34.25-1, 76.50, 95.50)

**VALVES, RELIEF, FOR HOT WATER  
HEATING BOILERS**

Approval No. 162.013/17/0, #175-15 relief valve for hot water heating boiler, ¾" inlet size, relieving capacity 150,000 B. t. u./hr. at set pressure of 15 p. s. i., dwg. No. RA-11, dated January 20, 1953,

manufactured by Bell & Gossett Co., 8200 Austin Avenue, Morton Grove, Ill.

Approval No. 162.013/18/0, #1050 relief valve for hot water heating boiler, 1¼" inlet size, relieving capacity 1,053,000 B. t. u. hr. at maximum set-pressure of 30 p. s. i., dwg. No. RA-18, dated January 20, 1953, manufactured by Bell & Gossett Co., 8200 Austin Avenue, Morton Grove, Ill.

(R. S. 4405, 4417a, 4418, 4426, 4433, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 411, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 162.013)

**VALVES, PRESSURE VACUUM RELIEF AND SPILL**

Approval No. 162.017/66/1, Figure 120 pressure-only relief and spill valve, atmospheric pattern, weight-loaded poppet, all bronze construction, dwg. No. 120-A, dated January 12, 1951, approved for sizes 3" 4" and 6", manufactured by The Mechanical Marine Co., Inc., 17 Battery Pl., New York 4, N. Y.

(R. S. 4405, 4417a, 4491, and sec. 5 (e), 55 Stat. 244, 245, as amended; 46 U. S. C. 375, 391a, 489, 50 U. S. C. App. 1275; 46 CFR 162.017)

**APPLIANCES, LIQUEFIED PETROLEUM  
GAS CONSULTING**

Approval No. 162.020/48/0, Garland No. A-173 gas range, six open top burners with two ovens and griddle-broiler burners, approved by the American Gas Association, Inc., under Certificate No. 11-(42-8.0 & -4.4).001, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich.

Approval No. 162.020/49/0, Garland No. A-182 gas range, six open top burners with one oven and three griddle-broiler burners, approved by the American Gas Association, Inc., under Certificate No. 11-(42-8.0 & -4.4).001, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich.

Approval No. 162.020/50/0, Garland No. A-183 gas range, six open top burners with two ovens and three griddle-broiler burners, approved by the American Gas Association, Inc., under Certificate No. 11-(42-8.0 & -4.4).001, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich.

Approval No. 162.020/51/0, Garland No. A-184 gas range, ten open top burners with two ovens, approved by the American Gas Association, Inc., under Certificate No. 11-(42-8.0 & -4.4).001, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich.

Approval No. 162.020/52/0, Garland No. A-186 gas range, six open top burners with one oven, approved by the American Gas Association, Inc., under Certificate No. 11-(42-8.0 & -4.4).001, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich.

Approval No. 162.020/53/0, Garland No. A-192 gas range, six open burners with one oven and three griddle-broiler burners, approved by the American Gas Association, Inc., under Certificate No. 11-(42-8.0 & -4.4).001, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich.

Approval No. 162.020/54/0, Garland No. A-193 gas range, six open top burners with two ovens and three griddle-broilers, approved by the American Gas Association, Inc., under Certificate No. 11-(42-8.0 & -4.4).001, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich.

Approval No. 162.020/55/0, Garland No. A-194 gas range, ten open top burners with two ovens, approved by the American Gas Association, Inc., under Certificate No. 11-(42-8.0 & -4.4).001, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich.

Approval No. 162.020/56/0, Garland No. A-196 gas range, six open top burners with one oven, approved by the American Gas Association, Inc., under Certificate No. 11-(42-8.0 & -4.4).001, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich.

(R. S. 4405, 4417a, 4426, 4491, sec. 1, 2, 49 Stat. 1544, sec. 2, 54 Stat. 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 404, 463a, 489, 1333, 50 U. S. C. App. 1275)

**STRUCTURAL INSULATION**

Approval No. 164.007/22/0, "Baldwin-Hill 8-pound Felt" mineral wool type structural insulation identical to that described in National Bureau of Standards letter, file III-6/26, dated July 16, 1943, approved for use without other insulating material to meet Class A-60 requirements in a 3" thickness and 8 pounds per cubic foot density, manufactured by Baldwin-Hill Co., 500 Breunig Avenue, Trenton 2, N. J. (Extension of the approval published in FEDERAL REGISTER dated February 12, 1948; effective February 12, 1953.)

Approval No. 164.007/23/0, "Baldwin-Hill Mono-Block" mineral wool type structural insulation identical to that described in National Bureau of Standards Test Reports Nos. TG3619-47, FR1820, dated January 7, 1941, and TG3610-1493, FP2569, dated November 10, 1947, boards approved for use without other insulating material to meet Class A-60 requirements in a 2" thickness and 18 pounds per cubic foot density, manufactured by Baldwin-Hill Co., 500 Breunig Avenue, Trenton 2, N. J. (Extension of the approval published in FEDERAL REGISTER dated February 12, 1948; effective February 12, 1953.)

Approval No. 164.007/28/1, "Weber's Super '48' Insulating Cement" plaster type structural insulation identical to that described in National Bureau of Standards Test Report No. TG10210-1782; FP3051 dated August 10, 1951, approved for use without other insulating material to meet Class A-60 requirements in a 2½" thickness. (Supersedes Approval No. 164.007/28/0 published in FEDERAL REGISTER dated December 7, 1951.)

(R. S. 4405, 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 346, 1023, and sec. 5 (e), 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 369, 375, 391a, 404, 463a, 1333; 50 U. S. C. App. 1275)

**BULKHEAD PANELS**

Approval No. 164.003/22/0, "Alma-rins-M", hollow aluminum, insulation



filled bulkhead panel identical to that described in National Bureau of Standards Test Report No. TG3630-1, FP2562, dated October 31, 1947, approved as meeting Class B-15 requirements in a 2 3/8" thickness when filled with 2" of Eagle Picher Mineral Wool and with two 0.025" asbestos paper inserts, manufactured by Martin-Parry Corp., P. O. Box 964, Toledo 1, Ohio. (Extension of the approval published in FEDERAL REGISTER dated February 12, 1948; effective February 12, 1953.)

Approval No. 164.008/23/1, "Almarine-A" hollow aluminum, asbestos board core bulkhead panel identical to that described in National Bureau of Standards Test Report No. TG3630-2: FP2563, dated October 31, 1947, and modified by Martin-Parry dwg. No. 44196, Alt. 1, dated December 10, 1947, approved as meeting Class B-15 requirements in a 2 3/8" thickness when fitted with a 1/4 inch asbestos millboard or 3/16 inch J-M Marine Sheathing core with two 0.025 inch asbestos paper inserts, manufactured by Martin-Parry Corp., P. O. Box 964, Toledo 1, Ohio. (Extension of the approval published in FEDERAL REGISTER dated March 25, 1948; effective March 25, 1953.)

Approval No. 164.008/26/0, "Almarine-A-3" hollow aluminum bulkhead panel identical to that described in National Bureau of Standards Test Report No. TG3630-4: FP2581, dated January 13, 1948, approved as meeting Class B-15 requirements in a 2 3/8" thickness with two 1/8 inch asbestos millboard inserts; this panel shall not be used in Class A-60 construction without the approval of the Commandant for the specific location, manufactured by Martin-Parry Corp., P. O. Box 964, Toledo 1, Ohio. (Extension of the approval published in FEDERAL REGISTER dated March 25, 1948; effective March 25, 1953.)

(R. S. 4405, 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 369, 375, 391a, 404, 463a, 1333, 50 U. S. C. 1275; 46 CFR 164.008)

#### INCOMBUSTIBLE MATERIALS

Approval No. 164.009/11/0, "Ocean-Lite", plaster type incombustible material identical to that described in National Bureau of Standards Test Report No. TG367-130, FP2579, dated December 15, 1947, manufactured by Ocean-Lite Flooring Co., 464 Baltic Street, Brooklyn 17, N. Y. (Extension of the approval published in FEDERAL REGISTER dated February 12, 1948; effective February 12, 1953.)

Approval No. 164.009/12/0, "Thermoflex" plaster type incombustible material identical to that described in National Bureau of Standards Test Report No. TG3610-1496, FP2574, dated December 4, 1947, manufactured by Kompolite Co., Inc., 11-25 Forty-fourth Road, Long Island City 1, N. Y. (Extension of the approval published in FEDERAL REGISTER dated February 12, 1948; effective February 12, 1953.)

Approval No. 164.009/13/0, "Transite" asbestos cement board type incombustible material identical to that described in National Bureau of Standards Test Report No. TG3610-1495, FP2573,

dated November 28, 1947, manufactured by Johns-Manville Sales Corp., 22 East Fortieth Street, New York 16, N. Y. (Extension of the approval published in FEDERAL REGISTER dated February 12, 1948; effective February 12, 1953.)

Approval No. 164.009/14/0, "BX-SPINTEX" mineral wool insulation type incombustible material identical to that described in National Bureau of Standards Test Report No. TG3610-1493, FP2569, dated November 10, 1947, approved in a range from 3 through 8 pounds per cubic foot density, manufactured by Johns-Manville Sales Corp., 22 East Fortieth Street, New York 16, N. Y. (Extension of the approval published in FEDERAL REGISTER dated February 12, 1948; effective February 12, 1953.)

(R. S. 4405, 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 1028, sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 369, 375, 391a, 404, 463a, 50 U. S. C. 1275; 46 CFR 164.009)

#### CHANGES IN NAMES OF MANUFACTURERS

The name of Canvas Products Company, 622-24 Prospect Avenue, Kansas City, Mo., has been changed to CAPCO for Approval No. 160.007/47/0 published in the FEDERAL REGISTER dated October 1, 1952.

The name of the Seaway Manufacturing Company, Inc., 511 North Solomon Street, New Orleans 19, La., has been changed to The American Pad & Textile Company, 511 North Solomon Street, New Orleans 19, La., for Coast Guard Approvals Nos. A-58 and A-59 for balsa wood life preservers; 160.009/2/0, 160.009/4/0, and 160.009/5/0 for balsa wood ring buoys; 160.009/1/0, 160.009/3/0, 160.009/32/0, and 160.009/33/0 for cork ring buoys; 160.010/18/0 and 160.010/19/0 for balsa wood buoyant apparatus; 160.019/4/0 for sea anchors, and 160.027/16/1, 160.027/18/0, 160.027/19/0 and 160.027/21/0 for balsa wood life floats, previously published in the FEDERAL REGISTER.

Dated: March 13, 1953.

[SEAL] MERLIN O'NEILL,  
Vice Admiral, U. S. Coast Guard,  
Commandant.

[F. R. Doc. 53-2407; Filed, Mar. 17, 1953;  
8:50 a. m.]

#### [CGFR 53-10]

#### TERMINATIONS OF APPROVALS OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521) and in compliance with the authorities cited below, the following approvals of equipment are terminated because (1) the manufacturer is no longer in business, or (2) the manufacturer does not desire to retain the approval, or (3) the item is no longer being manufactured, or (4) the item of equipment no longer complies with present Coast Guard requirements, or (5) the approval has expired. Except for those approvals which have expired, all other terminations of approvals made by this

document shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval of any item of equipment as listed in this document, such equipment in service may be continued in use so long as such equipment is in good and serviceable condition.

#### LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE)

Termination of Approval No. 160.002/-22/0, Model 2 adult kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated October 1, 1952.)

Termination of Approval No. 160.002/23/0, Model 3 adult kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated October 1, 1952.)

Termination of Approval No. 160.002/24/0, Model 5 child kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated October 1, 1952.)

Termination of Approval No. 160.002/25/0, Model 6 child kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated October 1, 1952.)

(R. S. 4405, 4417a, 4426, 4488, 4491, 4492, sec. 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 390, 404, 481, 489, 490, 526e, 526p, 1333, 50 U. S. C. App. 1275; 46 CFR 160.002)

#### LIFE PRESERVERS, FIBROUS GLASS, ADULT AND CHILD (JACKET TYPE)

Termination of Approval No. 160.005/9/0, Model 51 adult fibrous glass life preserver, U. S. C. G. Specification Subpart 160.005, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated November 22, 1952.)

Termination of Approval No. 160.005/10/0, Model 55, child fibrous glass life preserver, U. S. C. G. Specification Subpart 160.005, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated November 22, 1952.)

(R. S. 4405, 4417a, 4426, 4481, 4482, 4488, 4491, 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 375, 391a, 404, 474, 476, 481, 489, 490, 396, 367, 526e, 526p, 1333, 50 U. S. C. App. 1275; 46 CFR 160.005)

#### LIFE PRESERVERS; REPAIRING, RE-COVERING, AND CLEANING

Termination of Approval No. 160.006/11/0, cleaning process for kapok life preservers with permanently installed buoyant inserts, as outlined in letter of November 20, 1947, from Headquarters, New York Port of Embarkation, submitted by Headquarters, New York Port of Embar-



kation, Brooklyn, N. Y. (Approved FEDERAL REGISTER dated February 12, 1943. Termination of approval effective February 12, 1953.)

(R. S. 4405, 4417a, 4426, 4482, 4488, 4491, sec. 11, 35 Stat. 423, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391, 396, 404, 475, 481, 489, 526e, 526p, 1333, 50 U. S. C. App. 1275; 46 CFR 160.006)

#### BUOYANT CUSHIONS, KAPOK, STANDARD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Termination of Approval No. 160.007/1/0, Standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated October 1, 1952.)

Termination of Approval No. 160.007/58/0, Standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured for Portable Products Sales Corp., Woolworth Building, New York 7, N. Y., by The American Pad & Textile Co., Greenfield, Ohio. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 160.007/59/0, Standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Correct Craft, Inc., Pine Castle, Fla. (Approved FEDERAL REGISTER dated February 12, 1943. Termination of approval effective February 12, 1953.)

Termination of Approval No. 160.007/77/0, Standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Art-Mar Manufacturing Co., 1073 East Fifty-fourth Street, Indianapolis, Ind. (Approved FEDERAL REGISTER dated February 8, 1949.)

(R. S. 4405, 4491, 54 Stat. 164, 166, as amended; 46 U. S. C. 375, 489, 526e, 526p; 46 CFR 160.007)

#### BUOYANT CUSHIONS, NON-STANDARD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Termination of Approval No. 160.008/165/0, 14" x 21" x 2" rectangular buoyant cushion, 26 oz. kapok, U. S. C. G. Specification Subpart 160.008, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated October 1, 1952.)

Termination of Approval No. 160.008/167/0, 13" x 20" x 2" rectangular buoyant cushion, 23 oz. kapok, dwg. dated January 3, 1946, U. S. C. G. Specification Subpart 160.008, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated October 1, 1952.)

Termination of Approval No. 160.008/168/0, 18" x 18" x 2" rectangular buoyant cushion, 29 oz. kapok, dwg. dated January 3, 1946, U. S. C. G. Specification Subpart 160.008, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La.

(Approved FEDERAL REGISTER dated October 1, 1952.)

Termination of Approval No. 160.003/403/0, 15" x 15" x 2" rectangular buoyant cushion, 20 oz. kapok, plastic film cover and straps, stitched seams, specification dated December 28, 1943, manufactured by Art-Mar Manufacturing Co., 1073 East Fifty-fourth Street, Indianapolis, Ind. (Approved FEDERAL REGISTER dated February 8, 1949.)

Termination of Approval No. 160.003/414/0, 14" x 14" x 2" seat, 14" x 18" x 2" back, 40 oz. kapok, double buoyant cushion, dwg. No. 20, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated November 19, 1949.)

Termination of Approval No. 160.003/415/0, 14" x 14" x 2" seat, 14" x 18" x 2" back, 40 oz. kapok double buoyant cushion, flexible plastic film cover and straps, stitched seams, dwg. No. 120, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated November 19, 1949.)

Termination of Approval No. 160.003/416/0, 15" x 15" x 2" rectangular buoyant cushion, 20 oz. kapok, flexible plastic film cover and straps, stitched seams, dwg. No. 218, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated November 19, 1949.)

Termination of Approval No. 160.003/418/0, 15" x 36" x 2" rectangular buoyant cushion, 48 oz. kapok, dwg. No. 319, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated November 19, 1949.)

Termination of Approval No. 160.008/419/0, 15" x 36" x 2" rectangular buoyant cushion, 43 oz. kapok, flexible plastic film cover and straps, stitched seams, dwg. No. 419, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated November 19, 1949.)

Termination of Approval No. 160.003/420/0, 15" x 48" x 2" rectangular buoyant cushion, 65 oz. kapok, dwg. No. 519, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated November 19, 1949.)

Termination of Approval No. 160.003/421/0, 15" x 48" x 2" rectangular buoyant cushion, 65 oz. kapok, flexible plastic film cover and straps, stitched seams, dwg. No. 619, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved FEDERAL REGISTER dated November 19, 1949.)

(R. S. 4405, 4491, 54 Stat. 164, 163, as amended; 46 U. S. C. 375, 489, 526e, 526p; 46 CFR 160.003)

#### LIFE RAFTS

Termination of Approval No. 160.018/8/0, 9.67' x 8.67' x 3.42' life raft, 15-

person capacity, identified by general arrangement dwg. No. G 231, dated January 12, 1942, and revised December 15, 1942, manufactured by C. C. Galbraith & Sons, Inc., 99 Park Place, New York 7, N. Y. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

(R. S. 4405, 4417a, 4423, 4431, 4433, 4431, sec. 11, 35 Stat. 423, 49 Stat. 1544, 54 Stat. 245, and sec. 5, (c), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 474, 475, 481, 483, 1333, 50 U. S. C. 1275; 46 CFR 160.013)

#### DAVITS, LIFEBOAT

Termination of Approval No. 160.032/94/0, mechanical davit, straight boom sheath screw, type BN-95, approved for specific installations subject to discretion of the Coast Guard for maximum working load of 19,000 pounds per set (9,500 pounds per arm) using three-part falls, identified by arrangement of boom davit, type BN-95, dwg. No. 3185, dated October 15, 1947, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 160.032/95/0, mechanical davit, Crescent sheath screw, type C-50, approved for a maximum working load of 10,000 pounds per set (5,000 pounds per arm) using not less than 3-part falls, identified by general arrangement dwg. No. 3189, dated December 23, 1947, submitted by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 160.032/96/0, mechanical davit, straight boom sheath screw, type B-20, approved for maximum working load of 4,000 pounds per set (2,000 pounds per arm) using four-part falls, identified by general arrangement dwg. No. 3161, dated April 10, 1947, and revised November 18, 1947, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

(R. S. 4405, 4417a, 4426, 4431, 4433, 4431, 49 Stat. 1544, 54 Stat. 246, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 474, 481, 483, 1333, 50 U. S. C. 1275; 46 CFR 160.032)

#### MECHANICAL DISENGAGING APPARATUS, LIFEBOAT

Termination of Approval No. 160.033/35/0, Stewart type A releasing gear, approved for maximum working load of 10,320 pounds per set (5,160 pounds per hook), for use on all vessels except ocean and coastwise over 3,000 gross tons where it may be used for replacement purposes only, identified by general arrangement dwg. No. 2131-8, dated September 24, 1947, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)



(R. S. 4405, 4417a, 4426, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 404, 481, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 160.033)

#### HAND PROPELLING GEAR, LIFEBOAT

Termination of Approval No. 160.034/8/0, type A, size 1, hand propelling gear, identified by general arrangement dwg. No. 600, dated March 14, 1947, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

(R. S. 4405, 4417a, 4426, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 481, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 160.034)

#### LIFEBOATS

Termination of Approval No. 160.035/170/0, 16' x 5.6' x 2.35' steel oar-propelled lifeboat, 12-person capacity, identified by general arrangement dwg. No. OMS-100-A, dated July 1947, submitted by Tregoning Industries, Inc., P. O. Box 151, Alderwood Manor, Wash. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 160.035/173/0, 30' x 10' x 4.13' steel hand propelled lifeboat, 70-person capacity identified by general arrangement dwg. No. 1820, dated December 23, 1939, submitted by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 160.035/179/0, 20' x 6.5' x 2.67' steel oar-propelled lifeboat, 20-person capacity, identified by construction and arrangement dwg. No. 3180 dated September 18, 1947, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 160.035/180/0, 20' x 6.5' x 2.75' steel oar-propelled lifeboat, 21-person capacity, identified by construction and arrangement dwg. No. 3191, dated September 18, 1947, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 160.035/205/0, 24' x 8' x 3.6' steel oar-propelled lifeboat, 41-person capacity, identified by general arrangement dwg. No. OMS-500-A, dated August 1947, submitted by Tregoning Industries, Inc., P. O. Box 151, Alderwood Manor, Wash. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 160.035/206/0, 18.0' x 6.6' x 2.7' steel oar-propelled lifeboat, type GMS, 18-person capacity, identified by general arrangement dwg. No. OMS-200-A, dated Sep-

tember 1947, submitted by Tregoning Industries, Inc., P. O. Box 151, Alderwood Manor, Wash. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 160.035/207/0, 20.0' x 6.8' x 2.9' steel oar-propelled lifeboat, type OMS, 23-person capacity, identified by general arrangement dwg. No. OMS-300-A, dated August 1947, submitted by Tregoning Industries, Inc., P. O. Box 151, Alderwood Manor, Wash. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

(R. S. 4405, 4417a, 4426, 4481, 4488, 4491, 4492, sec. 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 474, 481, 489, 490, 1333, 50 U. S. C. App. 1275; 46 CFR 160.035)

#### FLAME ARRESTERS, BACKFIRE (FOR CARBURETORS)

Termination of Approval No. 162.015/22/0, model No. 20915, backfire flame arrester for carburetors, assembly dwg. No. 20915, Rev. A, dated October 21, 1947, elbow dwg. No. 20919, Rev. G, dated October 22, 1947, manufactured by Nordberg Manufacturing Co., Milwaukee 7, Wis. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 162.015/23/0, model No. 20916, backfire flame arrester for carburetors, assembly dwg. No. 20915, Rev. A, dated October 21, 1947, elbow dwg. No. 20918, Rev. D, dated October 22, 1947, manufactured by Nordberg Manufacturing Co., Milwaukee 7, Wis. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 162.015/24/0, model No. 20840, backfire flame arrester for carburetors, assembly dwg. No. 20915, Rev. A, dated October 21, 1947, elbow dwg. No. 20922-V Rev. B, dated October 23, 1947, manufactured by Nordberg Manufacturing Co., Milwaukee 7, Wis. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

(R. S. 4405, 4491, 54 Stat. 165, 166, as amended; 46 U. S. C. 375, 489, 5261, 5269; 46 CFR 162.015)

#### APPLIANCES, LIQUEFIED PETROLEUM GAS CONSUMING

Termination of Approval No. 162.020/2/0, Magic Chef gas range, model 461-14, using liquefied petroleum gas, approval certificate issued by the American Gas Association, Inc., AGA Report No. 1-909-4.01, manufactured by American Stove Co., 4931 Daggett Avenue, St. Louis 10, Mo. (Approved FEDERAL REGISTER dated February 12, 1948. Termination of approval effective February 12, 1953.)

Termination of Approval No. 162.020/15/0, Garland type 82, range for liquefied petroleum gas, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich. (Approved FEDERAL REGISTER dated August 9, 1949.)

Termination of Approval No. 162.020/16/0, Garland type 83, range for liquefied petroleum gas, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich. (Approved FEDERAL REGISTER dated August 9, 1949.)

Termination of Approval No. 162.020/17/0, Garland type 84, range for liquefied petroleum gas, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich. (Approved FEDERAL REGISTER dated August 9, 1949.)

Termination of Approval No. 162.020/18/0, Garland type 86, range for liquefied petroleum gas, manufactured by Detroit-Michigan Stove Co., 6900 Jefferson Avenue East, Detroit 31, Mich. (Approved FEDERAL REGISTER dated August 9, 1949.)

(R. S. 4405, 4417a, 4426, 4491, secs. 1, 2, 49 Stat. 1544, sec. 2, 54 Stat. 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 404, 463a, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 55.10-10)

#### LIFE PRESERVERS, CORK, ADULT AND CHILD (JACKET TYPE)

Termination of Approval No. A-56, Model 31, adult cork life preserver, U. S. C. G. Specification Subpart 160.003, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved Bureau of Marine Inspection and Navigation letter dated February 13, 1941.)

Termination of Approval No. A-57, Model 35, child cork life preserver, U. S. C. G. Specification Subpart 160.003, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La. (Approved Bureau of Marine Inspection and Navigation letter dated February 13, 1941.)

(R. S. 4405, 4417a, 4426, 4488, 4491, 4492, sec. 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5 (e), sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 398, 404, 481, 489, 490, 526e, 526p, 1333, 50 U. S. C. 1275, 46 CFR 160.003)

Dated: March 13, 1953.

[SEAL] MERLIN O'NEILL,  
Vice Admiral, U. S. Coast Guard,  
Commandant.

[F. R. Doc. 53-2406; Filed, Mar. 17, 1953;  
8:50 a. m.]

## DEPARTMENT OF DEFENSE

### Department of the Army

#### STATEMENT OF ORGANIZATION AND FUNCTIONS

#### AGENCIES DEALING WITH THE PUBLIC; OFFICE OF THE ADJUTANT GENERAL

Paragraph (e) section 2, Statement of Organization and Functions published in 15 F. R. 544, February 1, 1950, as amended in 18 F. R. 475, January 22, 1953 is amended by rescinding subdivisions (v) and (vi) of subparagraph (7) and adding new subdivisions (v), (vi), and (vii) as follows:

SEC. 2. *Organization and functions of agencies dealing with the public.* \* \* \*  
(e) *Office of The Adjutant General.*  
\* \* \*



(7) *Organization.* \* \* \*

(v) *Personnel Division.* (a) Consolidates requisitions, determines availabilities, announces approved allocations, and issues orders and/or assignment instructions pertaining to assignment and reassignment of officer, warrant officer, and enlisted personnel.

(b) Completes administrative actions and issues orders pertaining to:

(1) Transfers between branches of the Army.

(2) Detail to, or relief from detail in, branches of the Army.

(3) Leaves of absence; assignments to boards, courts, and commissions; and similar actions pertaining to personnel assigned to Department of the Army staffs and agencies.

(c) Administers policies governing, and accomplishes final determinations on applications for, deferment from overseas assignment, return from overseas stations, and reassignment within the continental United States for compassionate reasons.

(d) Provides military personnel administration and management for those agencies and activities of the Department of the Army administrative area which are not self-administering.

(e) Prepares officers' statements of service and career summaries for, and provides related services to, Department of the Army Selection Boards.

(f) Develops and administers casualty reporting regulations and procedures, including the following:

(1) Processing reports of casualties and dead, missing, and seriously ill, non-battle; and preparation of notifications to emergency addressees and next of kin.

(2) Review of cases of missing personnel and accomplishment of administrative determinations thereon in conformance with Missing Persons Act.

(3) Determination of battle or non-battle status, and verification of correct grades of personnel reported as dead or missing.

(4) Review of reports of field investigations pertaining to death, injury, and illness, and accomplishment of final determinations pertaining to line of duty and misconduct status.

(g) Supervises the administration of military prisoners confined in United States Disciplinary Barracks, including the following:

(1) Control of the selection and training of custodial personnel for assignment to disciplinary barracks.

(2) Analysis, evaluation, and preparation of military prisoner cases for presentation to the Army and Air Force Clemency and Parole Boards for remission and parole consideration and for presentation to the Secretaries of the Army and the Air Force for restoration to duty consideration.

(3) Development of standards and procedures for control, discipline, classification, and vocational and educational training of military prisoners, and the management, administration, and operation of disciplinary barracks.

(4) Maintenance and custody of the personnel records and files of military prisoners confined in disciplinary barracks and Federal confinement facilities.

(5) Administration of transfers of prisoners between disciplinary barracks, and between disciplinary barracks and Federal confinement facilities.

(b) Administers Army officer and warrant officer procurement policies and procedures, including:

(1) Appointment, examination, and admission of cadets to the Military Academy, and administration of the personal affairs and the separation of cadets.

(2) Appointments to the Regular Army.

(3) Administration of the Officer Candidate School and Reserve Officer Training Corps programs.

(4) Allocation of warrant officer appointment quotas.

(5) Accomplishment of determinations on requests for waiver of eligibility requirements.

(i) Accomplishes administrative actions and determinations pertaining to absentees, fraudulent enlistees, military personnel arrested or convicted by civil authorities, and allegations against Army personnel involving criminal and civil offenses, indebtedness, and non-support.

(j) Administers relief from active duty and separation of Army personnel, including:-

(1) Age, service, and disability retirement.

(2) Resignation, elimination, and discharge of Army personnel, exclusive of dismissal by court martial.

(k) Administers the award of Army decorations to American and foreign military personnel, and determines the eligibility of Army personnel for service medals, badges, appurtenances, and acceptance of foreign decorations.

(l) Prescribes procedures and provides informational services pertaining to benefits, emoluments, and privileges accruing to Army personnel and their dependents, and controls authorization for issuance of orders entitling Army personnel to incentive pay in accordance with provisions of the Career Compensation Act.

(m) Administers the permanent and temporary promotion of Army commissioned officers, warrant officers, and enlisted personnel in the active military service.

(n) Prepares regulations governing rendition of efficiency reports on commissioned officers and warrant officers in the active military service, reviews and processes efficiency reports, and accomplishes determinations on appeal cases.

(o) Maintains personnel files of Army personnel in the active military service, of Army retired personnel, and of personnel of the Army Reserve not in the active military service, and files of service numbers and monthly personnel rosters, performing the following functions in connection therewith:

(1) Provides military and medical information from files to governmental agencies and persons authorized to receive such information.

(2) Prepares new personnel records, or certifications thereof, in lieu of missing or destroyed records.

(p) Prescribes procedures governing administration of personnel of the Army Reserve, including:

(1) Administration of the appointment, reappointment, promotion, and transfer of commissioned officers and warrant officers in the Army Reserve and National Guard of the United States.

(2) Administration of the ordering of officers and warrant officers of the reserve components into active military service as individuals.

(3) Maintenance of the current status of officers and warrant officers of the Army Reserve not in the active military service.

(4) Administration of personnel policies pertaining to enlisted members of the Army Reserve not in the active military service.

(vi) *Personnel Research and Procedures Division.* (a) Plans, develops, maintains, and evaluates procedures and devices (and accomplishes related research incident thereto) to facilitate the determination and analysis of manpower requirements, and for the selection, classification, assignment, utilization, and evaluation of manpower in the active Army and the reserve components.

(b) Develops and promulgates procedures pertaining to the maintenance of personnel records and to the reception and separation processing of personnel and of units of the reserve components.

(c) Develops personnel testing and rating methods, and techniques for the selection of personnel for specific training and duty assignments.

(d) Develops and promulgates procedures for identification, classification, and codification of Army jobs, and provides advisory services pertaining to application of the procedures to organizational tables and the military training program.

(e) Provides advisory services on the establishment of, and prerequisites for, courses of instruction at Army schools, and prepares the Army School Catalog.

(f) Recommends and promulgates policies pertaining to personnel utilization, qualitative distribution of personnel among branches of the Army, and distribution of, and requirement rates for, military specialists.

(g) Conducts a continuing review and comprehensive analysis of all Army personnel records and related forms and procedures, and develops revisions, changes, and consolidations with the objective of reducing the administrative workload within the Army Establishment.

(h) Plans, directs, and controls the conduct of The Adjutant General's portion of the Research and Development Program. Conducts such human resources research, both basic and applied, as may be required to provide continuing improvement in the Army personnel system, personnel management methods and techniques, utilization and distribution of personnel, and personnel records.

(vii) *Special Services Division.* (a) Implements plans, policies, and programs pertaining to recreational activities and facilities for military personnel of the Army Establishment, including:

(1) Army libraries.

(2) Army service clubs.



(3) Soldier music, soldier show and crafts programs.

(4) Army sports.

(b) Determines requirements for Special Services supplies and equipment, and coordinates procurement and distribution of Special Services supply items.

(c) Plans and supervises Army-wide contests in recreational fields of interest, and Army participation in inter-service and international sports competitions.

(d) Administers the training, and promulgates policies pertaining to the utilization, of Army bands.

(e) Plans, obtains, and supervises professional entertainment for personnel of the Armed Forces.

(f) Determines recreational needs of military personnel in civilian communities within the continental United States, encourages local community organizations to provide such services, and advises military commanders on the utilization of community services.

(g) Performs fiscal administration for Special Services appropriated funds.

(h) Develops Special Services mobilization and war plans, coordinates development and implementation of Special Services training doctrine and programs, and supervises Special Services Army Reserve and unit training.

(i) Establishes qualifications for civilian recreational personnel and advisors, and coordinates recruitment, selection and assignment of these personnel.

[SEAL] WM. E. BERGIN,  
Major General, U. S. Army,  
The Adjutant General.

[F. R. Doc. 53-2380; Filed, Mar. 17, 1953;  
8:45 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

SOCIETE BELGE DES AUTEURS,  
COMPOSITEURS ET EDITIONNEURS

#### NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservation expenses:

*Claimant, Claim No., and Property*

Societe Belge des Auteurs, Compositeurs et Editeurs, (SABAM), formerly known as Societe Nationale de Droits d'Auteurs (NAVEA), 18 Rue de la Science, Brussels, Belgium; Claim No. 40307; \$8,743.33 in the Treasury of the United States.

All right, title, interest and claim of whatsoever kind or nature in and to every copyright, claim of copyright, license, agreement, privilege, power and every right of whatsoever nature, including but not limited to all monies and amounts, by way of royalties, share of profits or other emolument, and all causes of action accrued or to accrue relating to the non-dramatic performance for profit of any and all musical compositions in which such rights are held by the Societe

Belge des Auteurs, Compositeurs et Editeurs (SABAM), formerly known as Societe Nationale de Droits d'Auteurs (NAVEA), and/or each and every member thereof immediately prior to the vesting thereof by Vesting Order No. 4010 effective August 19, 1944 (U. S. Copyright Office, volume 538, pp. 267 through 269).

Executed at Washington, D. C., March 11, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director  
Office of Alien Property.

[F. R. Doc. 53-2372; Filed, Mar. 16, 1953;  
8:55 a. m.]

#### GRETEL ROSENTHAL

#### NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservation expenses:

*Claimant, Claim No., Property, and Location*

Gretel Rosenthal nee Herz, Stockholm, Sweden; Claim No. 12182; \$9,201.98 in the Treasury of the United States.

Executed at Washington, D. C., on March 11, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director  
Office of Alien Property.

[F. R. Doc. 53-2373; Filed, Mar. 16, 1953;  
8:55 a. m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### ALASKA

SHORESPACE RESTORATION ORDER NO. 499  
AND SMALL TRACT CLASSIFICATION NO. 70

MARCH 10, 1953.

1. By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059-48 U. S. C. 372) and pursuant to Delegation of Authority contained in sections 2.21 and 2.22 (a) (3) of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior on August 20, 1951 (16 F. R. 8625) it is ordered as follows:

(a) Subject to valid existing rights, the 80-rod shorespace reserve which is now or may hereafter be created under the act of May 14, 1898 (30 Stat. 409; 48 U. S. C. 371) as amended, is hereby revoked as to the public lands hereinafter described, which are situated in the Anchorage, Alaska, Land District and which are hereby classified as chiefly valuable for leasing and sale under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended:

#### JUNEAU AREA

##### FOR LEASE AND SALE

##### 1. For Homesites Tee Harbor Unit

U. S. Survey 3058: Lots 36, 37, and 40.  
U. S. Survey 3059: Lots 28, 29, 31, 32, and 33.

Comprising 8 tracts aggregating approximately 15.59 acres.

##### 2. For Business Sites Tee Harbor Unit

U. S. Survey 3058: Lots 34, 35, 39.  
U. S. Survey 3059: Lot 30.

Comprising 4 tracts aggregating approximately 9.61 acres.

##### 3. For Cabin Sites a. Tee Harbor Unit

U. S. Survey 3055: Lots 1-8 inclusive; Lots 10-13 inclusive; and lots 15-22 inclusive.  
U. S. Survey 3056: Lots C, D, E, F, G, H, and I.  
U. S. Survey 3058: Lots 5, 6, 8, 10, 11, 12, 14, 15, 16.  
U. S. Survey 3059: Lots 19-27 inclusive.  
U. S. Survey 3060: Lot 3.

##### b. Point Louisa Unit

U. S. Survey 3054: Lot 33.

Comprising 47 tracts aggregating approximately 34.66 acres.

#### KETCHIKAN AREA

##### FOR LEASE AND SALE

##### 1. For Homesites a. Clover Pass Unit

U. S. Survey 2808: Lot 23.  
U. S. Survey 3019: Lot 40 and Lots 42-52 inclusive.  
U. S. Survey 3020: Lots 54-62 inclusive, and Lot 68.  
U. S. Survey 3022: Lots 84-98 inclusive; Lots 100-103 inclusive; and Lots 105-114 inclusive.

##### b. Mud Bay Unit

U. S. Survey 2678: Lot 8.

##### c. South Point Higgins Unit

U. S. Survey 3089: Lots 112-117 inclusive, and Lot 119.

##### d. Pond Reef Unit

U. S. Survey 3092: Lots 10-15 inclusive, and Lots 22-26 inclusive.

Comprising 70 tracts aggregating approximately 101.42 acres.

##### 2. For Business Sites Clover Pass Unit

U. S. Survey 3019: Lot 37.  
U. S. Survey 3022: Lot 104.

Comprising 2 tracts aggregating approximately 2.92 acres.

##### 3. For Cabin Sites a. Clover Pass Unit

U. S. Survey 3019: Lot 41.  
U. S. Survey 3020: Lots 63-66 inclusive, and Lots 69 and 70.

##### b. South Point Higgins Unit

U. S. Survey 3089: Lots 108-111 inclusive, and Lots 120-122 inclusive.  
U. S. Survey 3090: Lots 134, 135 and Lots 206-212 inclusive.

##### c. Pond Reef Unit

U. S. Survey 3092: Lots 1-9 inclusive; Lots 16-21 inclusive; and Lots 27-33 inclusive.



Comprising 45 tracts aggregating approximately 53.61 acres.

WRANGELL AREA

FOR LEASE AND SALE

For Homesites

Wrangell Highway Unit

U. S. Survey 2900: Lot 22.  
U. S. Survey 2905: Lot 3A.

Comprising 2 tracts aggregating approximately 2.95 acres.

PETERSBURG AREA

FOR LEASE AND SALE

For a Cabin site

Blind Slough Unit

U. S. Survey 2609: Lot 30.

Comprising 1 tract containing approximately 4.99 acres.

2. The lands lie within an elimination from the Tongass National Forest effected by Public Land Order 842 of June 19, 1952, and are located near the cities indicated above. The lands are accessible for the most part from the above mentioned cities by primary and secondary roads. The terrain is generally rocky, covered in most places with a thin mantle of soil. The vegetative cover consists mainly of a dense growth of hemlock, Sitka Spruce, and Cedar. The climate is typical of the Southeastern Alaska coastal type, characterized by cool summers and mild winters, with heavy precipitation experienced throughout most of the year. All of the lands are presently served by electricity. Adequate water supply for domestic uses may be obtained from water systems supplied by nearby streams, and sewage disposal may be made through use of cesspools and septic tanks. Commercial, school, and church facilities are available in the nearby cities, and in some places within immediate access of the lands.

3. The following described lands appear from the land records to be subject to valid existing rights based upon prior occupancy pursuant to permits issued heretofore by the Forest Service, U. S. Department of Agriculture. As to these lands, a preference right will be accorded to the respective occupants thereof who are, or prior to elimination of these lands from the Tongass National Forest were, holders of permits issued by the Forest Service. Such persons may file their preference right application for these lands in accordance with the procedure set forth in paragraph 4 (a) (2) below.

JUNEAU AREA

U. S. Survey 3054: Lot 33.  
U. S. Survey 3055: Lots 1-6 inclusive, Lots 8, 12, and Lots 15-22, inclusive.  
U. S. Survey 3056: Lots D, E, F, G, H, and I.  
U. S. Survey 3058: Lots 5, 6, 8, 10, 11, 12 and 15.  
U. S. Survey 3059: Lots 19-27, inclusive.  
U. S. Survey 3060: Lot 3.

KETCHIKAN AREA

U. S. Survey 2678: Lot 8.  
U. S. Survey 2808: Lot 23.  
U. S. Survey 3019: Lot 41.  
U. S. Survey 3020: Lots 63, 65, 69 and 70.  
U. S. Survey 3089: Lots 108-111, inclusive and Lots 120-122, inclusive.

U. S. Survey 3090: Lots 134, 135, and Lots 206-212, inclusive.

U. S. Survey 3092: Lots 2-9, inclusive, Lots 16-18, inclusive, Lot 21 and Lots 27-33.

WRANGELL AREA

U. S. Survey 2900: Lot 22.

PETERSBURG AREA

U. S. Survey 2609: Lot 30.

4. This classification order shall not otherwise become effective to change the status of any lands described herein or to permit the leasing of any such lands under the Small Tract Act of June 1, 1938, cited above, until 10:00 a. m. on March 31, 1953. At that time the lands described below shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection, as follows:

(a) *Ninety-one day period for preference right filings.* For a period of 91 days from 10:00 a. m. on March 31, 1953, to close of business on June 29, 1953, inclusive, preference will be given, as set forth above, to:

(1) Applications under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended, subject to the requirements of applicable law, and

(2) Applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by veterans and other qualified persons under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph.

(b) *Advance period for simultaneous preference right filings.* All applications filed by such veterans and other qualified persons, or by persons claiming preference rights superior to those of such veterans filed under the preceding paragraph (a) on March 10, 1953, or thereafter, up to and including 10:00 a. m. on March 31, 1953, shall be treated as simultaneously filed. All applications filed under the preceding paragraph (a) after 10:00 a. m. on March 31, 1953, shall be considered in the order of filing.

(c) *Date for non-preference right filings.* Commencing at 10:00 a. m. on June 30, 1953, any lands remaining unappropriated shall become subject to application under the Small Tract Act by the public generally.

(d) *Advance period for simultaneous non-preference right filings.* Applications under the Small Tract Act by the general public filed on June 9, 1953, or thereafter, up to and including 10:00 a. m. on June 30, 1953, shall be treated as simultaneously filed. All applications filed thereafter shall be considered in the order of filing.

5. A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the

service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or which constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for services of veterans must furnish like proof in support of their claim. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be made on form 4-776 and shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

7. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, under the circumstances, are substantial, and are appropriate for the use for which the lease is issued. Leases will be issued for a period of two years, at an annual rental of \$5 for homesites or cabin sites, payable in advance for the entire lease period. Applications for extension for an additional period of one year shall be considered in appropriate cases. The rental for business sites will be in accordance with a schedule of graduated charges based on gross income, with a minimum charge of \$20 payable yearly in advance, the remainder, if any, to be paid within 30 days after each yearly anniversary of the lease. Every lease for land classified for lease and sale will contain an option to purchase clause and every such lessee may file an application to purchase at the sale price as provided in the lease.

8. All of the land will be leased in tracts varying in size from approximately 0.27 acre to approximately 4.99 acres, in accordance with the classification maps on file in the Land Office, Anchorage, Alaska. These tracts are appraised at prices ranging from \$75 to \$900.

9. Lessees must locate any wells or sewage disposal facilities in accordance with the laws and regulations of the Territory of Alaska.

10. All leases issued for any of these lands will be made subject to rights-of-way, for road purposes or for public utilities, 33 feet in width along tract boundary lines, or as shown on the classification maps on file in the Land Office, Anchorage, Alaska. These rights-of-way may be utilized by the Federal Government, or the State or Territory, county, or municipality, or by any agency thereof. In the discretion of the authorized officer of the Bureau of Land Management, these rights-of-way may be defi-



## NOTICES

nately located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All inquiries concerning these lands shall be addressed to the Manager, Land Office, Anchorage, Alaska.

FRED J. WEILER,  
Chief,  
Division of Land Planning.

[F. R. Doc. 53-2382; Filed, Mar. 17, 1953;  
8:45 a. m.]

## CIVIL AERONAUTICS BOARD

[Docket No. SA-272]

ACCIDENT OCCURRING AT CHICAGO, ILL.

## NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry N 6214C, which occurred at Chicago Midway Airport, Chicago, Illinois, on March 3, 1953.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Thursday March 19, 1953, at 9:00 a. m., c. s. t., in the Del Prado Hotel, 5307 Hyde Park Boulevard, Chicago, Illinois.

Dated at Washington, D. C., March 11, 1953.

[SEAL] VAN R. O'BRIEN,  
Presiding Officer

[F. R. Doc. 53-2391; Filed, Mar. 17, 1953;  
8:47 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. E-6481]

GULF STATES UTILITIES CO.

## NOTICE OF APPLICATION

MARCH 13, 1953.

Take notice that on March 11, 1953, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Gulf States Utilities Company, a corporation organized under the laws of the State of Texas and doing business in the States of Texas and Louisiana, with its principal business office at Beaumont, Texas, seeking an order authorizing the issuance of 781,042 additional shares of Common Stock, more fully described as follows:

Applicant proposes to reclassify its 5,000,000 shares of no par value Common Stock into 6,250,000 shares of Common Stock without par value. Of the 5,000,000 presently authorized shares of Common Stock 3,124,168 shares are issued and outstanding. The Common Stock holders of record will receive 781,042 additional shares of Common Stock on the basis of one additional share of Common Stock for each four shares outstanding; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 1st day of April 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-2392; Filed, Mar. 17, 1953;  
8:47 a. m.]

[Docket No. G-2062]

ATLANTIC SEABOARD CORP. AND VIRGINIA  
GAS TRANSMISSION CORP.

## NOTICE OF AMENDMENT TO APPLICATION

MARCH 11, 1953.

Take notice that Atlantic Seaboard Corporation (Atlantic Seaboard) a Delaware corporation, and Virginia Gas Transmission Corporation (Virginia Gas) a Virginia corporation, hereinafter sometimes referred to as Applicants, both of which have their principal place of business at Charleston, West Virginia, jointly filed on February 26, 1953, an amended application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 29.7 miles of 26-inch loop pipeline paralleling three sections of Atlantic Seaboard's existing 26-inch Cobb-Rockville pipeline; a compressor station to be known as Cleveland Compressor Station and to be located on said pipeline approximately 64.6 miles from the Cobb Compressor Station of United Fuel Gas Company, consisting of six 1,100 horsepower compressor units and necessary auxiliary equipment and structures; and the supercharging of three existing compressor units in Atlantic Seaboard's existing Lost River Compressor Station from 880 horsepower to 1,100 horsepower, and installation of three additional 1,100 horsepower units and necessary auxiliary equipment and structures at the Lost River Compressor Station.

Said application amends the joint application filed by Applicants on September 12, 1952, as supplemented on December 11, 1952 (17 F. R. 8927)

By means of the facilities proposed in the amended application, Applicants propose to increase the capacity of existing facilities by approximately 70,200 Mcf on a peak day and at a 48 percent load factor deliver annual additional volumes of approximately 12,299,040 Mcf of natural gas.

The estimated capital cost of the proposed facilities is approximately \$6,631,847. The capital cost is proposed to be provided for out of funds to be realized from the sale of Applicants' securities to their common parent, The Columbia Gas System, Inc.

Protests or petitions to intervene may be filed with the Federal Power Com-

mission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of April 1953. The amended application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-2384; Filed, Mar. 17, 1953;  
8:46 a. m.]

[Docket No. G-2128]

COLORADO-WYOMING GAS CO.

## NOTICE OF APPLICATION

MARCH 11, 1953.

Take notice that Colorado-Wyoming Gas Company (Applicant) a Delaware corporation having its principal place of business at 524 Continental Oil Building, Denver, Colorado, filed on February 26, 1953, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural gas facilities and the sale of natural gas for resale as hereinafter described.

Applicant proposes to construct and operate a total of approximately 13 miles of 2- and 6-inch pipeline consisting of four lateral lines, five or more sales meter stations, and other related facilities for the purpose of selling natural gas to the Greeley Gas Company and the Public Service Company of Colorado for resale in the towns and areas known as Gilcrest, Lucerne, South Henderson, North Welby and Wide Acres, and to install the facilities necessary to purchase additional gas from Colorado Interstate Gas Company at the points where the latter's proposed Wyoming-Colorado transmission line intersects with Applicant's existing facilities. All the facilities and services proposed are located within the State of Colorado. The maximum daily additional purchases are estimated at about 9,000 Mcf. Applicant estimates the cost of the facilities at \$182,195, and proposes to accomplish the financing without issuing any securities at this time.

Applicant recites that its application herein is related to the applications by Pacific Northwest Pipe Line Corporation in Docket No. G-1429, et al., and Colorado Interstate Gas Company in Docket No. G-2121, the recitals showing dependence of the application herein upon the latter two applications.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of April 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-2385; Filed, Mar. 17, 1953;  
8:46 a. m.]



[Project No. 659]

CRISP COUNTY, GEORGIA

NOTICE OF ORDER APPROVING INSTALLATION,  
FURTHER AMENDING LICENSE (MAJOR) AND  
DISMISSING APPLICATIONS AND ORDER

MARCH 12, 1953.

Notice is hereby given that on January 23, 1953, the Federal Power Commission issued its order entered January 15, 1953, approving installation of additional generating unit, further amending license (Major) dismissing, in part, incomplete applications for amendment of license, and dismissing order to show cause in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-2393; Filed, Mar. 17, 1953;  
8:47 a. m.]

[Project No. 733]

WESTERN COLORADO POWER CO.

NOTICE OF ORDER WAIVING PENALTY FOR DELINQUENT PAYMENT OF ANNUAL CHARGES

MARCH 12, 1953.

Notice is hereby given that on March 9, 1953, the Federal Power Commission issued its order entered March 4, 1953, waiving penalty for delinquent payment of annual charges in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-2394; Filed, Mar. 17, 1953;  
8:47 a. m.]

[Project No. 1256]

LOUP RIVER PUBLIC POWER DISTRICT

NOTICE OF ORDER AUTHORIZING AMENDMENT  
OF LICENSE (MAJOR)

MARCH 12, 1953.

Notice is hereby given that on January 5, 1953, the Federal Power Commission issued its order entered December 30, 1952, authorizing amendment of license (Major) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-2395; Filed, Mar. 17, 1953;  
8:48 a. m.]

[Project No. 1927]

CALIFORNIA OREGON POWER CO.

NOTICE OF ORDER FURTHER AMENDING  
LICENSE (MAJOR)

MARCH 12, 1953.

Notice is hereby given that on January 8, 1953, the Federal Power Commission issued its order entered January 6, 1953, further amending license (Major) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-2396; Filed, Mar. 17, 1953;  
8:48 a. m.]

[Project No. 1971]

IDAHO POWER CO.

NOTICE OF CONTINUANCE OF HEARING

MARCH 12, 1953.

Upon consideration of the request on behalf of the Secretary of the Interior, notice is hereby given that the hearing in this matter, now scheduled to resume on April 13, 1953, is hereby continued to May 13, 1953, at 10:00 a. m., in the Main Hearing Room, 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-2383; Filed, Mar. 17, 1953;  
8:46 a. m.]

## INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 562, Taylor's I. C. C. Order 10-A]

CHICAGO GREAT WESTERN RAILWAY CO.

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of Taylor's I. C. C. Order No. 10, and good cause appearing therefor: *It is ordered*, That: (a) Taylor's I. C. C. Order No. 10 be, and it is hereby vacated and set aside.

(b) *Effective date*. This order shall become effective at 12:01 p. m., March 12, 1953.

*It is further ordered*, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., March 12, 1953.

INTERSTATE COMMERCE  
COMMISSION,  
CHARLES W. TAYLOR,  
Agent.

[F. R. Doc. 53-2400; Filed, Mar. 17, 1953;  
8:49 a. m.]

[4th Sec. Application 27833]

ADIPIC ACID FROM ORANGE, TEX., TO NITRO,  
W. VA., AND PARLIN, N. J.

APPLICATION FOR RELIEF

MARCH 12, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent for carriers parties to schedule listed below. Commodities involved: Adipic acid, dry, carloads.

From: Orange, Tex.

To: Nitro, W. Va., and Parlin, N. J.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3967, Supp. 211.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-2356; Filed, Mar. 16, 1953;  
8:52 a. m.]

[4th Sec. Application 27834]

ADIPIC ACID FROM ORANGE, TEX., TO  
WASHINGTON, W. VA.

APPLICATION FOR RELIEF

MARCH 12, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below. Commodities involved: Adipic acid, dry, carloads.

From: Orange, Tex.

To: Washington, W. Va.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3967, Supp. 211.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-2357; Filed, Mar. 16, 1953;  
8:52 a. m.]



[4th Sec. Application 27887]

ETHYLENE GLYCOL FROM DOE RUN, KY.,  
TO BALTIMORE, MD.

## APPLICATION FOR RELIEF

MARCH 12, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Baltimore and Ohio Railroad Company, Louisville and Nashville Railroad Company, and Norfolk and Western Railway Company.

Commodities involved: Ethylene glycol, in tank-car loads.

From: Doe Run, Ky.

To: Baltimore, Md.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved, in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,  
Acting Secretary.

[F. R. Doc. 53-2360; Filed, Mar. 16, 1953;  
8:52 a. m.]

[4th Sec. Application 27888]

STEEL CHAINS FROM ST. LOUIS, MO., TO  
TEXAS POINTS

## APPLICATION FOR RELIEF

MARCH 13, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Chains, steel, n. o. i. b. n., chains, tire, cross, steel; and chains, tire, other than cross, carloads.

From: St. Louis, Mo.

To: Beaumont, Galveston, Houston, Orange, Port Arthur, Port Neches, and Texas City, Tex.

Grounds for relief: Competition with water carriers.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3899, Supp. 131.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission

in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-2397; Filed, Mar. 17, 1953;  
8:48 a. m.]

[4th Sec. Application 27889]

CAST IRON PIPE FROM GEORGIA, NORTH  
CAROLINA, TENNESSEE, AND VIRGINIA TO  
OKLAHOMA

## APPLICATION FOR RELIEF

MARCH 13, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Cast iron pipe, fittings, and related articles, carloads.

From: Cordele, Ga., Charlotte, N. C., Chattanooga and North Chattanooga, Tenn., Lynchburg, Va., Nashville, Tenn., Radford, Va., and Thomasville, Ga.

To: Specified points in Oklahoma.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1191, Supp. 71.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,  
Acting Secretary.

[F. R. Doc. 53-2398; Filed, Mar. 17, 1953;  
8:48 a. m.]

[4th Sec. Application 27890]

SOAP AND WASHING COMPOUNDS FROM  
BALTIMORE, MD., TO JACKSONVILLE, FLA.

## APPLICATION FOR RELIEF

MARCH 13, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to his tariff I. C. C. No. A-968.

Commodities involved: Cleaning, scouring, or washing compounds, soap, and soap powders, carloads.

From: Baltimore, Md.

To: Jacksonville and South Jacksonville, Fla.

Grounds for relief: Competition with water carriers and with motor-water carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,  
Acting Secretary.

[F. R. Doc. 53-2399; Filed, Mar. 17, 1953;  
8:49 a. m.]

SECURITIES AND EXCHANGE  
COMMISSION

[File No. 1-3237]

ADOLF GOBEL, INC.

## ORDER SUMMARILY SUSPENDING TRADING

In the matter of Trading on the American Stock Exchange in the \$1.00 par value Common Stock of Adolf Gobel, Inc., File No. 1-3237.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 13th day of March A. D. 1953.

The \$1.00 par value Common Stock of Adolf Gobel, Inc., being listed and registered on the American Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on that Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion that such suspension is necessary in order to prevent fraudulent, deceptive, or



manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the Securities Exchange Act of 1934 and the Commission's Rules X-15C2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange.

*It is ordered.* Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934 that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices for a period of ten (10) days from the date of this order.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-2417; Filed, Mar. 16, 1953;  
4:13 p. m.]

[File Nos. 31-606, 59-99]

NORTHERN STATES POWER CO. ET AL.

NOTICE OF FILING OF APPLICATION FOR  
EXEMPTION AND ORDER CONSOLIDATING  
SAME FOR HEARING WITH PROCEEDING

MARCH 12, 1953.

In the matter of Northern States Power Company (Minnesota) and its subsidiary companies, respondents, File No. 59-99; Northern States Power Company (Minnesota) File No. 31-606.

Notice is hereby given that Northern States Power Company, a corporation organized under the laws of the State of Minnesota and a holding company registered under the Public Utility Holding Company Act of 1935, has applied for an order exempting it and each of its subsidiaries as such from all the provisions of said act, on the ground that the applicant is predominantly a public-utility company within the meaning of section 3 (a) (2) of said act whose operations as such do not extend beyond the State of Minnesota and States contiguous thereto; and

Said applicant having moved that its aforesaid application for exemption be set down for hearing on March 18, 1953, and that the same be consolidated for hearing with the proceeding entitled "In the Matter of Northern States Power Company (Minnesota) and Its Subsidiary Companies, Respondents (File No. 59-99)" initiated by the Commission under the provisions of section 11 (b) (1) of said act, and that the evidence introduced and the proceedings had in said 11 (b) (1) proceeding be made applicable to this proceeding; and

It appearing to the Commission that common questions of law and fact are involved in the two proceedings and that applicant's motion for consolidation should be granted; subject, however, to the Commission's reservation of jurisdiction to segregate said proceedings and to enter separate and independent orders therein whenever it shall seem appropriate to do so:

*It is ordered.* That said application for exemption (File No. 31-606) be set down for hearing along with said section 11 (b) (1) proceeding (File No. 59-99) at the Commission's offices, 425 Second Street NW., Washington 25, D. C., on March 18, 1953, at 10 o'clock a. m., e. s. t., and that said two proceedings be consolidated; subject, however, to the reservation of jurisdiction by the Commission to segregate said proceedings and to enter separate and independent orders therein whenever the Commission shall deem it appropriate to do so.

The Division of Public Utilities having advised the Commission that, upon the basis of its preliminary examination of said application for exemption and the facts applicable thereto, the following matters and questions are presented for consideration, in addition to those already presented in File No. 59-99, without prejudice to the specification of additional matters and questions upon further examination:

(a) Whether the applicant holding company is predominantly a public-utility company whose operations as such do not extend beyond the State in which it is organized and States contiguous thereto, within the meaning of section 3 (a) (2) of said act;

(b) Whether and to what extent the granting of such exemption would be detrimental to the public interest or the interest of investors or consumers;

(c) What limitations or conditions should be imposed with respect to such exemption, if granted, in the public interest or in the interest of investors or consumers.

*It is further ordered.* That at the aforesaid hearing, attention be given to the foregoing matters and questions in addition to those already presented in File No. 59-99.

*It is further ordered.* That any person desiring to be heard in connection with these consolidated proceedings or proposing to intervene herein, and who has not already made such request in File No. 59-99, shall file with the Secretary of the Commission his request or application therefor, as prescribed by Rule XVII of the Commission's rules of practice. Such request shall set forth the nature of the applicant's interest in the proceedings and his reasons for requesting to be heard or to intervene, together with a statement of any issues which he proposes to raise or controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-2403; Filed, Mar. 17, 1953;  
8:49 a. m.]

[File No. 70-2991]

ATHOL GAS CO. ET AL.

ORDER AUTHORIZING ISSUANCE OF PROPOSED  
NOTES BY SUBSIDIARIES AND ACQUISITION  
OF SAID NOTES BY PARENT COMPANY

MARCH 12, 1953.

In the matter of Athol Gas Company, Beverly Gas and Electric Company, Connecticut River Power Company, North-

ampton Gas Light Company, Norwood Gas Company, Southern Berkshire Power & Electric Company, New England Electric System; File No. 70-2991)

New England Electric System ("NEES"), a registered holding company, and certain of its subsidiaries, namely Athol Gas Company ("Athol") Beverly Gas and Electric Company ("Beverly") Connecticut River Power Company ("Connecticut"), Northampton Gas Light Company ("Northampton") Norwood Gas Company ("Norwood") and Southern Berkshire Power & Electric Company ("Southern Berkshire") having filed with this Commission an application and declarations, pursuant to sections 6 (a) 7, 9 (a) 10 and 12 (f) of the Public Utility Holding Company Act of 1935 (the "act") and Rules U-23, U-42 (b) (2) U-43, U-45 (b) (1) and U-50 (a) (3) thereunder, with respect to the following proposed transactions:

The above named subsidiary companies propose to issue to NEES during the period ending July 1, 1953, unsecured promissory notes in the aggregate principal amount of \$5,475,000 and in the following individual amounts: Athol, \$95,000; Beverly, \$2,660,000; Connecticut, \$850,000; Northampton, \$400,000; Norwood, \$465,000; and Southern Berkshire, \$1,005,000. Each of the proposed notes will mature December 1, 1953, and will bear interest at the prime rate of interest at the time of the issuance thereof. It is stated that 3 percent per annum is the present prime interest rate charged by banks on notes similar to the proposed notes. In the event that such prime interest rate is in excess of 3¼ percent per annum at the time any of the proposed notes are to be issued, at least five days prior to the issuance of said note or notes the issuing company or companies and NEES will file an amendment to this filing setting forth the terms of the note or notes and the rate of interest. It is requested that any such amendment become effective at the end of said five day period unless prior thereto, the Commission notifies NEES or the issuing company or companies to the contrary.

As at January 1, 1953, Athol, Beverly, Connecticut, Norwood, and Southern Berkshire had outstanding notes payable to NEES in the respective principal amounts of \$60,000, \$2,290,000, \$750,000, \$355,000 and \$905,000. As at the same date, Northampton had outstanding with a bank promissory notes in the principal amount of \$305,000. The proceeds to be derived from the proposed notes will be used by the subsidiary companies to pay such note indebtedness, for construction costs and for other corporate purposes.

Each of the subsidiary companies proposes that if any permanent financing is done before the maturity of said note indebtedness, it will apply the proceeds therefrom in reduction of, or in total payment of, notes then outstanding, and the amount of authorized but unissued notes, if any, will be reduced by the amount, if any, by which such permanent financing exceeds the principal amount of the then outstanding notes,



It is stated that incidental services in connection with the proposed note issues will be performed, at cost, by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed \$200 for NEES and each of the subsidiary companies, or an aggregate of \$1,400. It is further stated, that, except for an order of authorization, dated September 17, 1952, issued by the Public Utilities Commission of New Hampshire with respect to the notes proposed to be issued by Connecticut, no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

It is requested that the Commission's order herein become effective forthwith upon issuance.

Due notice having been given of the filing of the application and declarations, and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said application and declarations be permitted to become effective forthwith:

*It is ordered,* Pursuant to Rule U-23 and the applicable provisions of the act, that said application and declarations be, and they hereby are, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-2404; Filed, Mar. 17, 1953;  
8:50 a. m.]

[File No. 70-3011]

SOUTHERN COMPANY

NOTICE OF FILING REGARDING SALE OF  
SHARES OF COMMON STOCK THROUGH A  
RIGHTS OFFERING

MARCH 12, 1953.

Notice is hereby given that an application-declaration has been filed with this Commission by the Southern Company ("Southern") a registered holding company. The filing has designated

sections 6 and 7 of the act, and Rule U-50 promulgated thereunder, as applicable to the proposed transactions, which are summarized as follows:

Southern proposes to issue and sell 1,004,869 additional shares of its common stock of \$5 par value. The shares of common stock are to be offered for subscription during a period of approximately three weeks to the holders of the presently outstanding common stock of the company in the ratio of 1 share of common stock for each 17 shares of common stock now held. Stockholders will also have the privilege of subscribing for additional shares, subject to allotment. The subscription price per share is to be determined by the company. The rights to subscribe are to be evidenced by transferable subscription warrants. No fractional shares are to be issued. The warrants will provide that persons subscribing for stock may direct the subscription agent to purchase additional rights required to complete a full share subscription or to sell rights in excess of a full share subscription. In each case, the purchase or sale may not exceed 16 rights for any single stockholder.

Southern proposes, if considered necessary or desirable, to stabilize the price of the common stock of the company for the purpose of facilitating the offering and distribution of the additional shares of common stock. In connection therewith the company may purchase shares of its common stock, but not in excess of 100,487 shares, on the New York Stock Exchange or otherwise, during the period commencing with the first business day prior to the date when the price per share is to be determined and continuing until the acceptance of a bid by the prospective underwriters. Such purchases are to be made through brokers with the payment of regular Stock Exchange commissions.

The above described offering is to be underwritten and the company proposes to select the underwriters through competitive bidding pursuant to Rule U-50. Under the purchase contract, the underwriters will be required to purchase at the subscription price any unsubscribed stock and the stock, if any, acquired by the company through stabilizing operations. At least 42 hours prior to the time for the submission and opening of bids, Southern will advise the prospective bidders of the subscription price per share. The bidders will be required to specify the amount of compensation to

be paid them by the company for their commitments. Under the purchase contract the purchasers must agree that, in the event any shares purchased by them from the company shall be sold by them prior to 30 days following the expiration of the subscription period for a price in excess of the subscription price plus 65¢ per share, the purchasers shall pay to the company 50 percent of such excess.

Southern which owns all the common stock of its operating subsidiaries, proposes to use the proceeds from the sale of additional shares of its common stock to purchase additional common stock of its subsidiary operating companies, or to repay bank loans incurred for such purpose, or to reimburse its treasury for funds expended since December 31, 1952, for such purpose, in order to assist said operating companies in financing their present construction programs. Separate applications and declarations have recently been or will be filed with the Commission with respect to investments made or proposed to be made by Southern in the common stocks of its subsidiary operating companies.

Southern has requested that the Commission's order herein become effective upon issuance.

Notice is further given that any interested person may, not later than March 27, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-2403; Filed, Mar. 17, 1953;  
8:49 a. m.]